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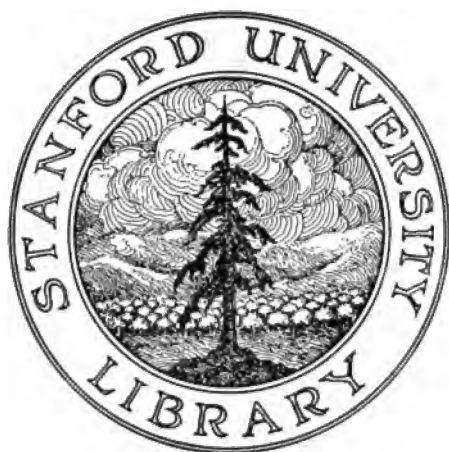
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THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
OF THE YEAR
1823.

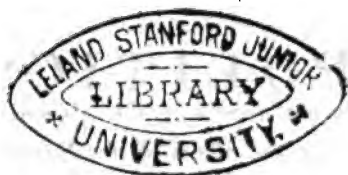


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P R E F A C E.

IN this, as in the preceding year, the subjects, which most forcibly attract attention, are the affairs of the Spanish peninsula, and of those regions of South America formerly connected with that part of Europe by the ties of colonial dependency. In Spain every hope has been crushed; and the worst anticipations, which the events of 1822 inspired, have been more than realized. If any thing were necessary to shew beyond the possibility of doubt the wretchedness of the system by which, and the want of principle and capacity in the men by whom, the Spanish revolution was conducted, surely this lamentable catastrophe would furnish the proof. To view the measures of the Constitutionalists with contempt and dislike, is not to be lukewarm in the cause of liberty; unless, forsooth, the love of liberty is admiration of ignorance, rashness, and cowardice. Deeming, as we did, the destruction of Ferdinand's tyranny a blessing to the world, and anxious that a great people, occupying a most important place in the political scale of Europe, should enjoy such a form of government as might give them both tranquillity and strength—it was for these very reasons, that, in our former volumes, we marked with reprobation the proceedings of the Revolutionists, because, during the period of their reign, their conduct was the reverse of that which it ought to have been, in order to build up a system of stable and tranquil government. The fruits of the tree have now been tasted; and bitter they surely are. Well may unbounded opprobrium be thrown on France for

the treacherous and unprincipled part which she has acted : and well may the Spanish people blush at the meanness with which they have tarnished their character by crouching under the invasion of a foreign enemy, and, at his bidding, putting their neck into a yoke which they had once thrown off ; but at the same time let it not be forgotten, that the treachery of France would have been unavailing, if the party, which, for three years, had the reins of government in their hands, had acted either with common honesty or with common sense.

The inglorious triumph of the French beyond the Pyrenees, though productive of present mischief and pregnant with the seeds of much future disorder, has not, however, been entirely without its benefits to the world. It has made the separation between Spain and her late colonies still more complete ; and the fears of European aggression, with which it has inspired them, have checked a spirit of disunion which might have weakened the infant states of South America. A still more important consequence of the French success is, that England has been compelled to avow explicitly the course of policy which she means to pursue towards the Transatlantic powers ; and that policy is one which is little palatable to the Holy Alliance. From the principles of that alliance, indeed, England has now, openly and in the eyes of the whole world, seceded. The monarchs of the continent may continue to announce, in their circulars their mystical axioms of oppression ; but the nations are now aware, that England will neither co-operate in the plans of those sovereigns, nor sanction their doctrines. This is a great gain to the cause of good government, both in respect of direct political strength, and still more in respect of influence over the public opinion of Europe.

The situation of England, in the late intricate state of Spanish affairs, was one of no ordinary delicacy ; and in it our ministers have acted with a prudence and foresight which have met with universal applause at home, except from that small party of generous

enthusiasts or dreaming theorists, who imagine that we are bound to plunge, at any time, into war, in order to destroy monarchical oppression. To the prudence of our ministers in their foreign policy, must be added the adoption of a liberal system of internal legislation, such as never marked any former period of our history. A government can do little or nothing directly to multiply the materials of happiness among a people: its business is, to secure to every man, with as few restraints as the situation of human affairs may permit, quiet, tranquillity, and protection, while he finds the means of comfort and enjoyment for himself and his family, in the free prosecution of every path of active exertion or industry which circumstances may recommend to him. This our present administration have shown themselves most anxious to do; and they are receiving the reward of their faithful discharge of the high duties of rulers, by a degree of public approbation and confidence, which has seldom been accorded to any former government.

July 13, 1823.

CONTENTS.

HISTORY OF EUROPE.

CHAPTER I.

✓ **INTERNAL** prosperity of the Country—Complaints of the Agriculturists—County Meetings—Petition of the County of Norfolk—Increased Popularity of the Ministry—Official changes—Meeting of Parliament—Speech from the Throne—Address moved in the House of Lords: Amendment proposed by Lord Stanhope: the course of Observation followed by Lord Lansdown and Lord Liverpool—Address moved in the House of Commons: Mr. Brougham's dissection of the Diplomatic Notes of the Allied Sovereigns, and his invective against them and their policy: Mr. Peel's Remarks—Effect of the disposition and temper exhibited by Parliament.

[1

CHAPTER II.

Temporary suspension of Discussions in Parliament on the Negotiations relative to Spain—Questions put to the Ministers by Lord Lansdown and Mr. Brougham—Removal of the Prohibition of the Exportation of Arms to Spain—Papers relating to the Negotiations on the Spanish Question, laid before Parliament—Ministerial exposition of the course of Policy which the English Cabinet had followed: the first mention of diplomatic discussion relative to Spain: Proceedings at Verona: Negotiations at Paris: our communications with, and advice to, the Spanish Government: our Proceedings subsequent to the publication of the Speech of the King of France at the Opening of the Session of the Chambers: justification of a Pacific Policy—Motion for the Repeal of the Foreign Enlistment Bill—Debate in the House of Lords on the Negotiations relative to Spain: an Address, disapproving of the Conduct of Ministers, moved by Lord Ellenborough: grounds on which it was supported: amendment moved by Lord Granville: arguments against the Address—Debate in the House of Commons, during three nights, on the Spanish Negotiations: the Address moved by Mr. Macdonald, and an Amendment to it by Mr. S. Wortley: Speech of Mr. Wilberforce; Speeches of the Chancellor of the Exchequer, Sir James Mackintosh, Mr. Peel, and Sir Francis Burdett: Mr. Canning's Speech; excellence of this Speech: Mr. Brougham's feeble Reply: manœuvre of the Opposition to avoid a Division of the House: result of the Division—Subsequent Motion of Lord Grey in the House of Lords—General state of feeling with respect to Spain throughout the progress of the Spanish War.

[16

CHAPTER III.

Bills of Indictment preferred against the Rioters in the Dublin Theatre—
 Failure of those Bills in consequence of the finding of the Grand Jury—
 Remarks of the Attorney General on this result—The Grand Jury vindicate
 their Conduct—Ex-officio Informations filed against the Rioters—Result of
 their Trial—Remarks on these Proceedings—Motions of Mr. Brownlow and
 Colonel Barry for the Production of Papers—Petition from the Grand
 Jury—Mr. Brownlow's Motion against Mr. Plunkett: Mr. Plunkett's
 Defence: course of the Debate—Petition of the Sheriff and Grand
 Jury of Dublin, calling for inquiry into their conduct—Sir F. Bur-
 dett's Motion for Inquiry carried—Course and result of the inquiry—
 State of Ireland: violence of party dissensions: extension of the system
 of outrageous attacks upon Persons and Property—Insurrection Act re-
 newed—Provisions of the Bill authorizing Compositions for Tithes: course
 of the Bill through the two Houses—Mischiefs of the system of granting
 Leases to numerous Joint-Tenants: Remedy applied to that Evil—Debate
 on Mr. Brougham's Motion concerning the administration of Justice in Ire-
 land—Mr. Hume's Motion against the Church Establishment of Ireland—
 His Motion on the Vice-regal Office—Other Motions relative to Ireland—
 State of Ireland towards the end of the Year. [49]

CHAPTER IV.

Catholic Question: Sir F. Burdett declares his intention of withdrawing from
 the Discussion: Imputations on Mr. Canning and Mr. Plunkett: Mr.
 Canning's Defence: Mr. Brougham's Invective against Mr. Canning: in-
 temperate Conduct of the latter: Motion for committing Mr. Canning and
 Mr. Brougham to the custody of the Serjeant at Arms: termination of the
 Quarrel: Remarks on this Proceeding—Mr. Plunkett's Motion on the
 Catholic Claims: its fate—Bills for conferring the Elective Franchise on
 English Catholics, and admitting them to certain Offices, passed by the
 Commons, but stopped in the Lords—Lord Colchester's Motion with re-
 spect to Catholic Institutions—Parliamentary Reform—The state of the
 Elective Franchise in Scotch Counties—Motion with respect to the Elec-
 tion of Magistrates for the Borough of Inverness. [73]

CHAPTER V.

Sir James Mackintosh's Resolutions for the Improvement of the Criminal
 Code: nature and grounds of the Opposition to them: they are rejected
 —Bills on the same Subject introduced by the Government—Two Bills
 taking away capital punishment from certain Offences—Bill empowering
 the Judges to record Judgment of Death, without pronouncing it—Bill
 concerning the interment of any Persons found *Felo de se*—Change in the
 Law of Principal and Factor—New Marriage Law: Discussion and Rejec-
 tion of the Clause making certain marriages voidable—Delays in the Court
 of Chancery—Appellate Jurisdiction—Proposed Bills for the Recovery of
 Small Debts—Conduct of the Lord Advocate in Borthwick's Case. [85]

CHAPTER VI.

Agricultural Distress—Discussions on this Subject—Mr. Whitmore's Motion
 for a Reduction in the Import Price of Corn—Improvement in the Situation
 of the Agricultural Interest—Mr. Western's Motion on the Currency—

CONTENTS.

ix

Equitable Adjustment of Contracts—Re-appointment of the Committee on Foreign Trade—Warehousing Bill—Reciprocity of Duties Bill—Beer Bill—Attempted Repeal of the Laws regulating the Silk Trade. [95]

CHAPTER VII.

Ministerial Exposition of the Financial Situation of the Country—Repeal of some, and Diminution of others, of the Assessed Taxes—Ministerial misrepresentation of the Amount of the Surplus Revenue—Improvident Contract with the Bank for the payment of part of the Naval and Military Pensions—Bill regulating the reduction of the National Debt—Budget—Amount of Taxes reduced since the termination of the War—Mr. Maberly's Motion respecting the redemption of the Land Tax—The Tax on Foreign Wools—Motion with respect to the office of Lieutenant General of the Ordnance. [107]

CHAPTER VIII.

✓ Newfoundland and Cape Breton—New South Wales and Van Diemen's Land—Proposed Equalization of the Duties on East-Indian and West-Indian Sugar—Mr. Buxton's Motion on Slavery—The resolutions proposed by Government on that subject—Lord Bathurst's Circular—Alarm in the West-Indian Colonies—Proceedings in Jamaica and Barbadoes—Insurrection in Demerara: its Origin, Progress, and Suppression: trials of the Conspirators: trial of the Missionary Smith—Condition of the New Settlements at the Cape of Good Hope. [121]

CHAPTER IX.

Motion respecting Mr. Bowring's Imprisonment: the Conduct pursued by the British Government in that affair—Claim of Mrs. Olive Serres to be Princess of Cumberland: Mr. Peel's exposition of the Imposture—Prorogation of Parliament—Mr. Canning's refusal to acknowledge or hold communication with the Regency of Madrid—Appointment of Consuls and Consuls-General in the States of South America—Our Relations with South America—Mr. Canning's increasing popularity: his speech at Plymouth. [139]

CHAPTER X.

FRANCE—Pretended violation of the neutrality of the French soil—Ambiguous conduct of the French Ministry—Speech at the opening of the French Chambers—Duplicity of the Minister—The subsequent explanation attempted to be given of the doctrine contained in that Speech—Respective departures of the French and Spanish ambassadors—Debate in the Peers on the Address; amendments moved; speech of Talleyrand—Address of the Peers—Debate in the Chamber of Deputies on the Address; Address of the Deputies—The Budget—Discussions on the war in the progress of the Financial measures; Chateaubriand's speech—Course of observation pursued by Manuel: proceedings against him; his expulsion from the Chamber—Protest against this measure tendered and rejected—Secession of the Opposition—Riots—Addresses against the War—Annunciation of the commencement of the War—Exultation of the French in the success of the Spanish Campaign—Proceedings in Paris—Communi-

relations with England as to South America—Dismissal of the Duke of Bel-
luno—Remarkable Trials at Paris—French Clergy—English artisans em-
ployed in France. [148]

CHAPTER XI.

NETHERLANDS—Suppression of Roman Catholic Societies; Restrictions on
Commerce with France; Session of the States General; Plans of Improve-
ment: Military operations in Sumatra—DENMARK—SWEDEN: Measures
of the Diet; Tenor of the King's speech on the Dissolution of it—BADEN
—WEIMAR—HESSE CASSEL—PRUSSIA: Establishment of Provincial As-
semblies: Prosecutions against Secret Associations: Restraints on the
Press—WIRTEMBERG: Proceedings of the Diet against the German Ob-
server: Refusal of Wirtemberg to concur in the approval by the Diet of
the Proceedings of the Congress of Verona—BAVARIA: Measures taken at
the recommendation of Austria—SWITZERLAND: Measures adopted at the
Command of France and the Holy Alliance, against personal liberty and
the Press: Swiss Diet: further Demands of the Holy Alliance—AUSTRIA
—Russian ordinances against Free-Masons—Meeting of the Emperors of
Austria and Russia at Czernowitz. [169]

CHAPTER XII.

SPAIN—Delivery of the French, Russian, Austrian and Prussian Notes at
Madrid—Proceedings of the Cortes upon them—The Answers of the
Spanish Government—The Russian, Austrian, and Prussian Ministers
receive their passports—Address from the Cortes to the King—Proceedings
in the Cortes after the communication of the speech of the King of France
—Close of the Extraordinary Cortes—March of Bessieres and Ulman
upon Madrid; their retreat; Ulman's inroad into Valencia—Ferdinand's
refusal to concur in the transference of the government from Madrid; the
Ministers removed and restored on the same Day—Another change of
Ministry—Opening of the Ordinary Cortes—Removal of the King and
Cortes to Seville—Military Preparations—Commencement of the Cam-
paign—French Refugees—St. Sebastian—March towards Madrid—Opera-
tions in Catalonia—Arrival of the French at Madrid—Convention with the
French—Attempt of Bessieres on the Capital—Establishment of a Re-
gency at Madrid—Treachery of Abisbal—Proceedings of the Cortes at
Seville—They appoint a Regency—The Removal of the King and Cortes
to Cadiz—March of the French Troops, from Madrid into Andalusia—
Cordova—Seville—Operations in the Asturias and Galicia: Defection of
Morillo—Corunna—Operations in Valencia and Murcia: Defection of
Ballasteros—Riego's expedition: his defeat, and capture—Operations in
Catalonia—Arrival of the Duke d'Angoulême before Cadiz: his corres-
pondence with Ferdinand: The Trocadero taken: Negotiation attempted
by the Cortes: Military operations: Ferdinand repairs to the head-quarters
of the French—Surrender of the Fortresses—Termination of the Cam-
paign—Course of Administration pursued by Ferdinand—Change in the
Spanish Ministry. [180]

CHAPTER XIII.

PORTUGAL—Relations of Portugal with Great Britain and France—Ama-
rante's insurrection: his progress: Rego's operations: Insurrection sup-
pressed, and Amarante retreats into Spain—Arrests in Lisbon—Insurrec-

tion of the 23rd regiment—Prince Miguel's Flight from the Palace—The Rebels joined by most of the Troops—Complete success of the Counter-Revolution—Appointment of a new Ministry—Dissolution of the Cortes—Sir Robert Wilson in Portugal—French Embassy—**BRAZIL**:—Complete separation of Brazil from Portugal—Hostile proceedings of Brazil towards Portugal—Internal Dissensions of Brazil—Resignation of the Andradas and their immediate restoration to Power—Meeting of the Congress—Secession of the Ministers from the Congress—Violent Discussions—Change of Ministry—Dissension between the Emperor and the Congress—Opposition of the Andradas to the Emperor—Violent proceedings of the Congress and of the Emperor—A new Ministry—The Emperor dissolves the Congress by Military force—Another change of Ministry—Convocation of a new Legislative Assembly—Measures pursued against the leaders of the Opposition—Basis of a fundamental Law of the Monarchy proposed by the Emperor—This scheme approved by the municipality of the capital—General approbation of the proceedings of the Emperor—Catastrophe at Para—Military Operations at Bahia: Difficulties of Madeira's situation: his vigorous resistance: Evacuation of Bahia—Lord Cochrane's Operations—Monte Video—Arrival of Portuguese Commissioners at Rio de Janeiro: their dismissal—Finances of Brazil. [211]

CHAPTER XIV.

ITALY—Prosecutions—Election of a New Pope—**IONIAN ISLANDS**—**TURKEY**—War with the Greeks—Military and Naval situation of the Greeks—Military Operations—Naval Operations—Predatory Incursions in Asia Minor—Affairs at Constantinople—Difficulties with respect to Wallachia and Moldavia—Seizure at Constantinople of Ships under the Russian flag—Concessions of the Turks—Arrangements between Turkey and Austria—Treaty between Turkey and Persia. [231]

CHAPTER XV.

UNITED STATES—Laws against the Slave Trade—Opening of the session of Congress—Negotiations with England, France, and Russia—Finances of the United States—Quarrel with the Riccaree Indians—**MEXICO**—Deposition of Iturbide—Internal dissensions—Meeting of a Congress—Proposed Constitution of Mexico—Negotiations with the Spanish Commissioners—Dispute between the Town of Vera Cruz and the Castle of St. Juan de Uloa—Consequences of that Dispute—**COLOMBIA**—Santa Martha—Maracaibo—Porto Cabello—Naval successes of the Spaniards—Capture of Maracaibo by the Colombians—Surrender of Porto Cabello—Insurrections of the Indians—Insurrection at Pasto—Proceedings of the Congress of Colombia—Treaties with Chilé and Peru—**PERU**—San Martin resigns his Authority—Expedition against General Canterac—Victory of the Spaniards—Riva-Aguera declared President—Temporary occupation of Lima by Canterac—Dissensions between Riva-Aguera and the Congress—Reinforcements received from Colombia and Chilé—Military Operations—Bolívar arrives at Lima, and is placed at the head of Affairs—His preparations for carrying on the War—Riva-Aguera taken Prisoner—**CHILE**—Discontent with the Administration of O'Higgins—O'Higgins and Rodríguez resign—A Junta appointed—General Freyre is named Director—**BUENOS AYRES**—Preliminary Convention with Spain—Misunderstanding with one of the English Naval Officers on the station—**HAYTI**—**PORTO RICO**. [238]

CHRONICLE.

EVENTS

1

APPENDIX TO CHRONICLE.

Sheriffs	167	Education of the Poor in Ireland	56*
Births	168	Salaries in Public Offices	59*
Marriages	171	Substance of Report on the Ap-	
Promotions	178	pellate Jurisdiction	63*
Deaths	187	State of the Public Records	66*
King's Ministers	212	Report on the state of Agricul-	
Public Income	214	ture and Trade, New South	
— Expenditure	216	Wales	71*
— Disposition of Grants	217	Extracts from the 17th Report	
— Ways and Means	227	of the African Institution	80*
— Unfunded Debt	228	II. Foreign—Diplomatic Cor-	
— Funded Debt	229	respondence on the Relations	
Trade and Navigation	231	between France and Spain	93*
Public General Acts	235	Convention between his Majes-	
Stocks	247	ty and the King of Spain,	
Bankrupts	ib.	respecting the Capture and	
Prices of Sugar and Hay	248	Detention of British vessels	
Prices of Wheat	ib.	and Property	148*
Prices of Butchers' Meat	249	Speech of the King of France,	
Meteorological Table	ib.	at the opening of the Session	149*
Bills of Mortality	250	Do. of the King of Sweden, at	
Number of Persons committed		closing the Diet	151*
to Newgate &c.	251	Russian Finances	153*
Royal Forests	256	Reply of the Spanish Govern-	
		ment to the French Ministry	154*

LAW CASES AND NAR-
RATIVES.

Paris—Trial of Castaign	1*	Address to the King of Spain	
Trial of the Widow Boursier		voted by the Cortes	157*
and N. Kostolo	19*	Proclamation of the Duke of	
King's Bench Dublin—Trial of		Angoulême	158*
Forbes and others for an out-		Speech of the King of Spain, on	
rage on the Lord Lieutenant	21*	closing the Session	160*
Court of Admiralty—the Dun-		Answer of the President of the	
dee	32*	Cortes, to ditto	162*
Common Pleas—Cuthbert v.		Proclamation of the King of	
Browne	35*	Spain, before quitting Cadiz	165*
Aylesbury—Randall and Cro-		— of Don Miguel to the	
ker, murder	36*	Portuguese	166*
King's Bench, Guidhall—Shaw		— of the King of Portugal	167*
v. Williams, seduction	40*	Decree of the King of Portugal	
Croydon—Stoffel and Keppel,		appointing a Junta	ib.
murder	44*	Manifesto of the Emperor of	
		Brazil	169*
		Project of the Brazilian Consti-	
		tution	172*
		United States—President's mes-	
		sage to Congress	183*

PUBLIC DOCUMENTS.

I. Domestic—Letter on the	
State of Ireland	50*

Table of the Finances of the United States	196*
Preliminary Convention between Buenos Ayres and Spain	196*
Message of the Executive Power of Columbia, on opening the first Constitutional Congress	198*
Treaty between Columbia and Peru.....	204*

HISTORY AND BIOGRAPHY.

Memoir of Pius VII.	210*
——Lord Erskine	213*
——Earl St. Vincent	223*
——Charles Grant, Esq.....	224*
——General Dumouriez ..	238*
Savary's Account of the Death of the Duc d'Enghien	242*
Secretary Davison's Account of what passed between Elizabeth and him respecting the Execution of Mary	244*

MANNERS, CUSTOMS, STATISTICS, &c.

Captain Franklin's Journey to the Polar Sea	251*
Captain Parry's Second Voyage	271*
Niagara Falls	277*

NATURAL HISTORY.

History of a Case of Hydrophobia, by Dr. Magendie ...	281*
Experiments on Digestion by Sir A. Cooper	285*
Comparative Strength of Animals	288*
Auricular Organs	289*
Insects in Amber.....	ib.

GEOGRAPHY, ASTRONOMY, &c.

Ascent of Mount Rosa	290*
Russian Voyage of Discovery	291*

Refraction of Light in the Arctic Seas	293*
Aurora Borealis, as observed by Captain Scoresby	294*
Earthquake in Chil�	295*
Scheme for sending Dispatches to the E. Indies, by a Steam Packet	296*

CHEMISTRY.

New Fluid, discovered in Minerals	297*
Method of forming three Haloes artificially round the Sun, &c. ..	ib.
Variation in the Bulbs of Thermometers	298*
New Form of the Voltaic apparatus	ib.
Expansive Force of Coal Gas	299*
Magnetism by Percussion	ib.
Effects of Magnetism on Chronometers, by P. Lecount ..	ib.
New Chemical Combination ...	300*
New Compound of Iodine ...	301*
Vegetation in Atmospheres of different densities	ib.
Sugar for Preserving Fish	302*

AGRICULTURE AND BOTANY.

Destruction of Caterpillars on Fruit Trees	302*
Utility of Sparrows	303*
Gooseberries	304*
Succory as blanched Salad	ib.
New Esculent Plant	ib.
Maturation of Fruits	305*
New Zealand Spinach	307*

ARTS AND MANUFACTURES.

Instrument for finding the Latitude without the help of logarithms and calculations ..	308*
Ice Life-Preserver	309*
Diorama	ib.
Process of Hatching Poultry by Steam	310*
Patents	311*

ANTIQUITIES AND MISCELLANEOUS LITERATURE.

Chancery Records	319*
The Cottonian Manuscripts ...	320*
The Lansdown do	321*
Heralds' College	322*
New Churches	323*
Paris and its Civic Relations..	324*
Knights of Malta	326*
Prussian Universities	327*
Statistics of Sweden and Norway	ib.
Russian Statistics	328*

Education in Portugal	328*
Mr. Haydon's Petition for the encouragement of Historical Painting	329*

POETRY.

Styrian Evening Hymn to the Virgin	331*
Hope and Memory, by Miss Baille	ib.
Riddle	336*
Stonehenge, a Newdigate Prize Poem	ib.
INDEX	339*

THE
ANNUAL REGISTER,
For the Year 1823.

THE
HISTORY OF EUROPE.

Internal prosperity of the Country—Complaints of the Agriculturists—County Meetings—Petition of the County of Norfolk—Increased Popularity of the Ministry—Official Changes—Meeting of Parliament—Speech from the Throne—Address moved in the House of Lords: Amendment proposed by Lord Stanhope: the course of Observation followed by Lord Lansdown and Lord Liverpool—Address moved in the House of Commons: Mr. Brougham's Dissection of the Diplomatic Notes of the Allied Sovereigns, and his invective against them and their Policy: Mr. Peel's Remarks—Effect of the Disposition and Temper exhibited by Parliament.

THE country, in the beginning and throughout the whole of the present year, exhibited the most unequivocal marks of a steady and progressive prosperity. Every branch of manufacturing industry, was in a flourishing state. The cotton-wool, wrought up in 1822, exceeded the consumption of the preceding year, by one-fifth; there was a considerable increase in the quantity of silks and woollen-cloths manufactured; and, in conse-

VOL. LXV.

quence of augmenting exportation, the demand for iron, hard-ware, and cutlery, was reviving from the state of stagnation in which it had been since the conclusion of the war. The shipping interest, too, which had experienced more than a proportional share of the late depression and embarrassments, participated in the general improvement. Not only was there employment for the good vessels that were in the docks, but the ship-

[B]

builders yards began, again, to present a scene of busy industry.

The agricultural distress had diminished in the course of the former year; but the effects of the by-gone change in the circumstances of many owners and cultivators of the soil were still felt in a degree strong enough to give a plausible pretext for complaint.

These complaints were uttered most loudly in various county-meetings, held immediately before, or shortly after, the meeting of parliament; at which, under pretext of assigning the causes or suggesting remedies of the agricultural distress, the necessity of diminishing the taxes, of reforming the constitution of the legislature, and frequently of plundering the church, and the public creditor, was sometimes insinuated, and sometimes boldly avowed. Among the counties which voted petitions on this subject to the House of Commons, were Norfolk, Somerset, York, Berks, Hereford, Middlesex, and Surrey. In the meeting held at Norwich, on the 3rd of January, the Whigs, who had convened it and meant it to be a vehicle for their own opinions, were completely defeated by the unexpected appearance of Mr. Cobbett, on the stage; who, after having exposed the fallacy and incoherence of the resolutions proposed by them, moved an address of his own, which was carried triumphantly by the acclamations of the assembled mob, or at least of that part of it, which was nearest to the hustings. This petition, after the usual complaints against sinecures, taxes, the church, and the national debt, prayed an efficient reform of parliament, in order that such parliament might adopt the measures necessary to effect the following

purposes:—1. An appropriation of a part of the property of the church to the liquidation of the debt: 2. A reduction of the standing army, including staff, barracks and colleges, to a scale of expense as low as that of the army before the last war: 3. A total abolition of all sinecures, pensions, grants, and emoluments, not merited by public services: 4. A sale of the crown lands, and an application of the money towards the liquidation of the debt: 5. An equitable adjustment with regard to the public debt, and also with regard to all debts and contracts between man and man. But, as to effect these purposes might require a lapse of months, the petitioners further prayed, that parliament, in order to afford immediate protection against ruin, would be pleased, 1. To suspend, by law, for one year, all distresses for rent, and to cause distresses already issued to be set aside; 2. To suspend all process for tithes, for the same period; 3. To suspend, for the same period, all processes arising out of mortgage, bond, annuity, or other contract affecting house or land; 4. To repeal the whole of the taxes on malt, hops, leather, soap, and candles.

The Whig aristocracy of Norfolk, indignant that such principles should be supposed to emanate from their county, caused petitions to be prepared and numerous signed in distinct hundreds, reprobating the petition adopted at Norwich, but complaining bitterly of agricultural distress, and calling loudly for parliamentary reform. The original petition and also the counter petitions were presented to the House of Commons, by Mr. Coke, who, on that occasion, declared his dissent from Mr. Cob-

bett's conclusions, and ascribed that gentleman's triumph to the confusion of the meeting, and to the ignorance, in which the individuals composing it were, of what was really said by the speakers. Mr. James was the only member of Opposition, who expressed any approbation of the doctrines adopted at Norwich. Yet the only essential difference between Mr. Cobbett and his adversaries, appears to have been, that, both setting out from the same assumptions, Mr. Cobbett pushed his premises to their utmost consequences, while Mr. Coke and his party, preferring prudence to logic, adopted the principles acceptable to their querulousness, and yet disavowed the inferences to which these principles, if fairly followed up, necessarily led. Mr. Cobbett's success at Norwich, induced him to attempt to play the same part at Hereford: but there the country-gentlemen were prepared to meet their antagonist; and instead of carrying his point, the assembly would scarcely deign even to hear him.

The language held at most of these meetings was violent in the extreme; but it was regarded by sober-minded men, as the effusion of party spirit, and as being neither in unison with the sentiments, nor suitable to the actual circumstances of the nation. The people saw and felt, that many classes in the community were in a thriving state; and that the embarrassments, even of the agriculturists, were becoming every day less. A general opinion prevailed, that, on subjects of internal legislation, the ministry had shown more just and more enlarged views than their opponents: and the avowed dissent of Mr. Canning from the proceedings of the continental monarchs, won to him and

to his colleagues a large portion of esteem and confidence from many, who had till now been more inclined to throw upon him blame than to yield him their applause. The Spanish question was the great topic of public anxiety; and upon it there was a complete sympathy between the government and the country. For though there were men who, actuated by a generous but unwise impulse, thought that our ministers ought to do more than declare their condemnation of the French aggression against Spain, and that, instead of remaining neutral, they should become principals in the war, and pledge the prosperity and constitution of England for the dominion of the Cortes; yet these quixotic schemes were confined to a few. To condemn the conduct of France and the Holy Alliance; to wish success to Spain; to abstain from war ourselves and consequently from all menaces of war; such was the line of conduct which was generally believed to be most consonant to the principles and interests of England; and it was in this course of policy that Mr. Canning had hitherto walked, and was still walking.

The changes, which took place in some important offices, were calculated to strengthen the ministry in the public opinion. Mr. Vansittart, who had always gained more respect by his virtues than admiration by his talents, retreated from the fatigues of finance to the chancellorship of the duchy of Lancaster, and was raised to the peerage by the title of lord Bexley. Mr. Robinson succeeded him as chancellor of the Exchequer; Mr. Huskisson was appointed president of the Board of Trade; and in his stead Mr. Arbuthnot became first

[B] 2

commissioner of the Land Revenue. The promotion of Mr. Robinson and Mr. Huskisson was exceedingly acceptable, especially to the commercial part of the community; for both these gentlemen were known to possess a manly sense, and a liberality of opinion, from which great benefits in commercial and financial administration might be expected.

On the 4th of February the session of parliament was opened by commission; his majesty being prevented by indisposition from attending in person. After the royal commission had been read, the lord chancellor, on behalf of the other commissioners, read the following speech:—

“My Lords and Gentlemen,

“We are commanded by his majesty to inform you, that since he last met you in parliament, his majesty’s efforts have been unremittingly exerted to preserve the peace of Europe.

“Faithful to the principles which his majesty has promulgated to the world, as constituting the rule of his conduct, his majesty declined being a party to any proceedings at Verona, which could be deemed an interference in the internal concerns of Spain on the part of foreign powers. And his majesty has since used, and continues to use, his most anxious endeavours and good offices to allay the irritation unhappily subsisting between the French and Spanish governments: and to avert, if possible, the calamity of war between France and Spain.

“In the east of Europe his majesty flatters himself that peace will be preserved, and his majesty continues to receive from his allies, and generally from other powers, assurances of their unaltered dis-

position to cultivate with his majesty those friendly relations which it is equally his majesty’s object on his part to maintain.

“We are further commanded to apprise you, that discussions having long been pending with the court of Madrid, respecting depredations committed on the commerce of his majesty’s subjects in the West Indian Seas, and other grievances of which his majesty had been under the necessity of complaining, those discussions have terminated in an admission by the Spanish government of the justice of his majesty’s complaints, and in an engagement for satisfactory reparation.

“We are commanded to assure you, that his majesty has not been unmindful of the addresses presented to him by the two Houses of Parliament with respect to the foreign slave trade.

“Propositions for the more effectual suppression of that evil were brought forward by his majesty’s plenipotentiary in the conferences at Verona, and there have been added to the treaties upon this subject already concluded between his majesty and the governments of Spain and the Netherlands, articles which will extend the operation of those treaties, and greatly facilitate their execution.

“Gentlemen of the House of Commons,

“His majesty has directed the estimates of the current year to be laid before you. They have been framed with every attention to economy; and the total expenditure will be found to be materially below that of last year.

“This diminution of charge, combined with the progressive improvement of the revenue, has produced a surplus exceeding his ma-

jeaty's expectation. His majesty trusts, therefore, that you will be able, after providing for the services of the year, and without affecting public credit, to make a further considerable reduction in the burthens of his people.

"My Lords and Gentlemen,

"His majesty has commanded us to state to you, that the manifestations of loyalty and attachment to his person and government, which his majesty received in his late visit to Scotland, have made the deepest impression upon his heart.

"The provision which you made in the last session of parliament for the relief of the distresses in considerable districts in Ireland, has been productive of the happiest effects, and his majesty recommends to your consideration such measures of internal regulation as may be calculated to promote and secure the tranquillity of that country, and to improve the habits and condition of the people.

"Deeply as his majesty regrets the continued depression of the agricultural interest, the satisfaction with which his majesty contemplates the increasing activity which pervades the manufacturing districts, and the flourishing condition of our commerce in most of its principal branches, is greatly enhanced by the confident persuasion that the progressive prosperity of so many of the interests of the country cannot fail to contribute to the gradual improvement of that great interest, which is the most important of them all."

The address was moved by lord Morley, and seconded by lord Mayo. Earl Stanhope, after lamenting that there seemed no intention on the part of government to administer relief to the agri-

culturists, moved that the following words should be inserted in the address "That this House views with the deepest regret and anxiety, the severe and unexampled distress which now afflicts the country, and will immediately proceed to inquire into and examine its causes; also the results which have arisen from altering the value of the currency; and the means of administering speedy and effectual relief." The speech which he made in support of this amendment, was composed of exaggerated representations of the agricultural embarrassments, feeble and illogical efforts to prove that these embarrassments proceeded from our return to cash payments, and audacious recommendations of national bankruptcy. "If we contemplate," said his lordship, "the effects which the change of currency has produced upon taxation, we find that the public annuitants now receive twice as much in the produce of the earth as they did in 1819, and nearly twice as much as they then did in other commodities. Is not this to be considered as a most nefarious fraud that has been practised on the nation, and as an act of public robbery? We hear much about public faith, but it did not, and could not pledge the nation to pay the public creditors twice as much as they ought to receive, and as they did receive three years ago. The reduction of the dividends, which is imperiously required by the safety of the country, is strictly conformable to justice, in consequence of the alteration of the currency in which they are paid."

Lord Lansdown thought, that the topics which lord Stanhope had discussed, however important in themselves, ought to be passed

over for the present, and that, in the crisis which now threatened Europe, it was desirable that the Address should be adopted unanimously. He only wished, that it had been couched in stronger terms, and that in it, as well as in the speech from the throne, there had been a stronger and more explicit declaration of the sense which this country entertained of those principles, which had unfortunately found their way into the councils of some of the great powers of Europe, and which, if acted upon to their natural extent, would not fail to involve Europe in confusion. Those principles had now, for the second time, been promulgated in a manner which left no room for doubt as to their tendency: and far from thinking it expedient to palter with the sense of parliament and the country, he was of opinion that his majesty's ministers would act wisely and judiciously, to unite with the legislature and the people in expressing their indignation at, rather than their disapprobation of, such a system, if there was any chance of thereby averting the calamities which must grow out of it. Whether or not government would declare its opinion of the conduct of the continental powers as he thought it should—and he was willing to believe that, in some degree, it already had done so—he was sure that public feeling would find vent through various channels, and that every part of the country would be eager to proclaim to the world the opinion which it entertained, and the sense which it cherished, of the rights of nations, and the important interests which England had in maintaining them. At the same time, being bound to give credit to

ministers for having used their exertions to avert the calamity of a war on the continent, and for having made protestations, however vainly, against the conduct of France, he confessed that he did not, under all the circumstances of the case, think the present was a fit time for proposing any further declaration of opinion than was contained in the address already moved.

Lord Liverpool asserted, that there could not be a more distinct statement of the intentions of the government, than was contained in the first paragraph of the speech from the throne: "Faithful to the principles which his majesty had promulgated to the world as constituting the rule of his conduct, his majesty declined being a party to any proceedings at Verona, which could be deemed an interference in the internal concerns of Spain." Those principles were to be found in a note written by a dear and very lamented friend of his, and issued on the 19th of January, 1821. In that note, the policy of the British government was distinctly declared; and it rested on the principles of the law of nations, which allowed every country to judge how it could best be governed, and what ought to be its institutions; and if exceptions to the rule might arise out of considerations of self-defence and self-preservation, these were to be considered as exceptions, and were to stand on their own peculiar merits. He and his colleagues viewed the question of Spain as one purely Spanish, and not mixed up with any other. There had been, and he sincerely trusted there would be, throughout the career of those who had the conduct of affairs in that coun-

try, a less taint of blood, of crime, and violence, than was afforded by almost any other example of a similar revolution that had occurred in modern history. The constitution had been adopted by Spain, and acknowledged by Great Britain, while war was raging in the peninsula. If it wanted correction, the monarch had the power of correcting it when he first accepted it. The Spaniards, far from wishing to interfere with other countries, disclaimed any such right. If he dreaded war as affecting Spain, he dreaded it still more as affecting France. Under such circumstances, every man must admit, that the policy of this country was, to preserve neutrality. But, while he said this, he protested against being supposed for a moment to admit the idea—that, if unavoidable circumstances presented no alternative to England but war or dishonour, we were not in a state to go to war. On the contrary, as long as parliament refused to adopt any measures calculated to sap the foundations of public credit, he was convinced, that, if a war should appear to be necessary to the preservation of our honour, the country was in a state to meet it. Still, after the extraordinary efforts which Great Britain had so recently made, and taking into consideration the present state of Europe, it was most desirable, if we could do so with regard to justice, to our safety, to our honour, and to our engagements with our allies, that we should preserve our neutral position.—The present, however, was not the time for the consideration of that question. For, whatever might be the existing probability of a rupture between France and Spain, he did not consider the door as yet abso-

lutely closed against negotiation and amicable arrangement.

The lords divided upon lord Stanhope's amendment: and after it had been rejected by a majority of 62 Not-contents, to 3 Contents, the address was carried unanimously.

In the Commons, the address having been moved by Mr. Child, and seconded by Mr. Wildman, Sir Joseph Yorke expressed the satisfaction with which he found ministers following the good old feelings of the country, and not advocating an interference in the internal concerns of another state. He thought this country was bound to show to France and the world, the absurdity, the impolicy, and the injustice of a declaration of war against Spain in the present moment. A more outrageous act of violence never was, and never could be committed, than the meditated attack upon that brave nation. It should be recollected, that these Spaniards were the very men who placed the Bourbons on the throne—who seated Ferdinand himself at the head of the government, at a period when no power could have forced him upon them against their will. And was it against such men that the Bourbons of France were now going to make war? He trusted the evil might be yet averted; for who could say, when blood was once shed, and when cannon were fired on this side of the Bidassoa—who could say that this country could long remain neuter? Circumstanced as we were, it might indeed be desirable that we should be neutral; but, with a commerce extending from Pole to Pole, with interests which must be more or less affected by every hostile movement between

the powers of Europe, he would ask any man, whose breast beat with honest feelings of independence, how, situated as we were, we could keep long out of such a war, if once commenced? It was for this reason, and because he was anxious to avert the evil if possible, by a strong declaration of the feelings of this country, that he would wish every member of that House to rise in his place, and state his opinion as to whether France was right in her present course or not.

To this appeal Mr. Brougham answered in a speech which was one of the happiest efforts of his manly and versatile eloquence. Scorning the rhetorical prettinesses of antitheses and metaphors, he exposed in language, in which contemptuous and bitter invective was intermingled with sound argument, the abstract absurdity and injustice of the proceedings of the continental sovereigns, and the inconsistency of their conduct with their past actions, promises, and pretensions: illustrating his argument, and giving strength to his invective, by happy historical allusions, and communicating to his words a new power, by the earnest vehemence of manner and of tone with which they were accompanied. He rose, he said, to join with every man who deserved the name of Briton, in expressing unqualified abhorrence and detestation at the audacious interference of the continental sovereigns in the affairs of Spain; or if that detestation was qualified, it was only by indignation and disgust at the canting hypocrisy of the language in which the loathsome principles of the tyrants were promulgated to the world. But he should ill discharge his duty if he did not mark his sense of the candour of the two

hon. gentlemen who had moved and seconded the address, and express his satisfaction at what, in the House, and in the country would, unanimously, be felt to be, the sound and liberal view which they had taken of this matter. Indeed, he knew not, that, circumstanced as they were, they could go farther; or that his majesty's ministers could, in the present state of this very delicate affair, have gone beyond the communication of to-day. That communication, coupled with the commentary of the movers, would be joy and exultation to England—would diffuse joy and exultation over Spain—would be a source of comfort to other free states—but would bring confusion and dismay to the allies; who, by a pretended respect for, but a real mockery of, religion and morality, made war upon liberty in the abstract, and endeavouring to crush independence, wherever it was to be found, were now ready with their armed hordes to carry their frightful projects into execution. If war were once commenced, we should soon be compelled to take some part in it; and for such an emergency, every shilling, which could be saved by the most rigid economy, should be reserved. We were bound to assist one party, our old ally Portugal, if she should be engaged; and it was not likely that she could remain neuter, if the present ill-fated conspiracy against Spain should proceed to open hostility. This view of the question it was, in which he differed from the gallant officer (Sir J. Yorke) who last spoke; and he was glad, that he could not collect from the hon. mover or seconder, the ominous words "strict neutrality," as applied to this country in the threatened contest. A state of

declared neutrality on our part would be nothing less than a declared permission of those evils which we condemned, and a tacit allowance of the atrocious principles which we were unanimous in deprecating. He would say, therefore, that it would be the duty of his majesty's ministers, with whom he should be glad to co-operate on the occasion—and so, he was certain, would every one who then heard him—to come to the resolution, that when certain things should take place on the continent, we should be ready to assist the Spaniards—a measure necessary to prevent evils, which even those the least prone to war must admit to be inevitable, should a wavering or pusillanimous course be pursued. Our assistance would be necessary to avert the wicked enforcement of principles contrary to the law of nations, and repugnant to every idea of national independence. To judge of the principles now avowed, let any man read patiently, if he could, the declarations in the notes of Russia, Prussia, and Austria; to produce any thing more preposterous, more absurd, more extravagant, more calculated to excite a mixed feeling of disgust and derision, would baffle any chancery or state-paper office in Europe. In the note from the minister of his Prussian majesty, the re-establishment of the Cortes of 1812 was thus described—"which, confounding all elements, and all power, and assuming only the single principle of a permanent and legal opposition against the government, necessarily destroyed that central and tutelary authority which constitutes the essence of the monarchical system." The emperor of Russia, in terms not less strong, called the constitutional govern-

ment of the Cortes, "laws which the public reason of Europe, enlightened by the experience of all ages, stamped with its disapprobation." Where, in the conservative character of keeper of the peace of Europe, did his imperial majesty discover, that the constitution of Spain had been stamped with the disapprobation of the public reason of Europe? The "public reason of Europe, enlightened by the experience of all ages," happened to be that of his imperial majesty himself for the last ten years; for, notwithstanding that he had the "experience of all ages" before his eyes, he did in the year 1812 enter into a treaty with Spain, with the same Cortes, the same constitution, not one word of which had been changed up to the present hour; and in that treaty, the emperor of all the Russias, using the very word by which he and his allies would themselves be designated—the word by the abuse of which they were known—called the Spanish government of the Cortes "a legitimate government." But not only was the conduct of the allies inconsistent with the treaties of some among them with Spain; their principle of interference was wholly at variance even with treaties recently made amongst themselves. By the 4th article of the treaty of Aix-la-Chapelle, dated in November 1818, it was laid down, that a special congress might be held from time to time on the affairs of Europe, or, to use the words, and borrowing the hypocritical cant of their predecessors, the three powers who basely partitioned Poland—who, while they despoiled a helpless nation of its independence, kept preaching about the quiet of Europe, the integrity of its states, and the morality and

happiness of their people, and talked daily about their desire of calm repose, the atmosphere in which despotism loved to breathe, but which an ancient writer had eloquently painted, when he called it the stillness of desolation—following the vile cant of their ancestors, the allies declared, at Aix-la-Chapelle, that their object was, to secure the tranquillity of Europe—that their fundamental principle should be, never to depart from a strict adherence to the law of nations: “faithful to these principles,” (continued this half-sermon, half-romance, and half-state-paper) “they would only study the happiness of their people, the progress of the peaceful arts, and attend carefully to the interests of morality and religion, of late years, unhappily too much neglected.”—Alexander here followed the example of the autocratix Catherine—who, having, wasted and pillaged Poland, province after province, poured hordes of her barbarians into the capital, and there, from the rising of the sun to the going down thereof, butchered the unoffending inhabitants, unarmed men, and women, and infants; and, not content with this work of undistinguishing slaughter, after the pause of the night had given time for cooling, rose on the morrow, renewed the carnage, and continued it through out that day; yet, after this, ordered a *Te Deum* to be sung, to return thanks for her success over the enemies of Poland, and in the midst of these most horrible outrages upon every feeling of human nature, issued a proclamation, in which she assured the Poles, that she felt towards them, “the solicitude of a tender mother, whose heart is only filled with sentiments of kindness for all her children.”

Who could, or who dared, doubt, that she was all she so described herself; and who could, after the experience of the last year, dispute the legitimate descent of the allied powers, and the purity of their intentions towards Spain? But, along with this declaration of the object of future congresses, came a stipulation, which he should like to see some man versed in the manufactory of state-papers, compare with, and reconcile to, the notes fashioned at Verona, probably by the very hands which had produced the treaty of Aix-la-Chapelle. The stipulation was this:—“Special congresses concerning the affairs of states not parties to this alliance, shall not take place, except” (and how had Spain, which was no party to the alliance, brought herself within the exception)—“except in consequence of a formal invitation from such states;”—“and their ambassador shall assist at such congresses.” Now, the interference in the internal affairs of Spain was not only not “by special invitation” from, but was in downright opposition to, the will of Spain. Thus stood the conduct of those holy allies diametrically opposed to their own professions and engagements; and by such means was the attempt now made to crush the independence of a brave people!—But it was not in the case of Spain alone, that the consideration of these papers was important—they furnished grounds of rational fear to all independent governments; for he should be glad to learn, what case it was (upon the doctrines now advanced) to which this principle of interference might not be extended. The revolt of the colonies was distinctly stated by these armed legislators, as one ground of interposition; and

they kindly offered their "intervention," to restore this great branch of "the strength of Spain." There was no end of the occasions for interfering which they took. One was rather alarming—the accident of a sovereign having weak or bad ministers. Russia, forsooth, was anxious to see Ferdinand surrounded with "the most enlightened, the most faithful of his subjects"—men "of tried integrity and superior talents:" So that, according to these wise men of Verona (and this was a consideration which should be looked to, in some other countries as well as Spain), the existence of an inefficient or unprincipled administration, would be of itself a just ground of interference. The principle did not stop here: "ruinous loans," formed another ground, and "contributions unceasingly renewed;" "taxes which, for year after year, exhausted the public treasures and the fortunes of individuals." To complete all the charges against Spain, the Russian emperor finished his invective with the awful assertion, that, on the 7th of July, "blood was seen to flow in the palace of the king, and a civil war raged throughout the peninsula." It was true, that a revolt had been excited in some of the provinces. But by whom? By an ally; by those cordons of troops, which were posted on the Spanish frontier, armed with gold and with steel, and affording shelter and assistance by force, to those in whose minds disaffection had been excited by bribery. It was also true, that blood had been shed. But how, and under what circumstances? A few persons were killed, who had first attacked the constitutionalists; in other words, who mutinied against the established govern-

ment. As well might he accuse the people, the parliament, and the crown of England, of causing "blood to flow in the palace of the king," for ordering the sentinels to fire on any person whom they might find attempting to assassinate the sovereign, as accuse the Spaniards of such a crime, for the events which happened in July 1822.—Many other heavy charges were levelled at the Spaniards, in phrases of terrible import,—as "labouring a disorganized philosophy," "indulging in dreams of fallacious liberty," and the want of "venerable and sacred rights,"—with which the Prussian note was loaded to repletion. That of Russia objected to the Spaniards their want of the "true conservative principle of social order;" or, in other words, of despotic power, in the hands of one man, for his own benefit, at the expense of all mankind besides; and their not falling within the scope of those "grand truths," which, though they were ever in their mouths, were no where explained by any one of the three sovereigns. The Austrian note discoursed largely of "the solid and venerable claims" which the Spanish nation had upon the rest of Europe: prayed it to adopt a better form of government than it had at present; and called upon it to reject a system which was at once "powerful and paralyzed." Monstrous and insolent and utterly unbearable, as all these state-papers were, he considered that of Russia to be more monstrous, more insolent, and more prodigiously beyond all endurance, than the rest. It was difficult to determine which most to wonder at—the marvellous incongruity of her language and conduct now, with her former most solemn treaties; or the incredible

presumption of her standing forward to lead the aggression, upon the independence of all free and polished states. Gracious God! Russia!—a power that was only half civilized—that, with all her colossal mass of physical strength, was still quite as much Asiatic as European—whose principles of policy, foreign and domestic, were completely despotic, and whose practices were almost altogether oriental and barbarous! In all these documents, there was, with a mighty number of general remarks, mixed up a wondrous affectation of honest principles—a great many words covering ideas that were not altogether clear and intelligible; or, if they happened to be so, only placing their own deformity in a more hideous and detestable light: but, for argument, or any thing like it, there was none to be found from the beginning to the end of them. They reasoned not; but they spoke one plain language to Spain and to Europe, and that language was,—“We have 100,000 hired mercenaries, and we will not stoop to reason with those whom we have determined to crush as slaves, or annihilate as freemen.” Admirable was the frankness, with which this haughty language had been met by the Spanish government: the papers which it had sent forth were plain and laconic; they said:—“We are millions of freemen, and will not stoop to reason with men who threaten to enslave us.” They hurled back the threat to the quarter from which it issued, caring little whether it was from the Goth, the Hun, or the Calmuck; with firmness they met the craft of the Bohemian, and with courage the savage ferocity of the Tartar. If they found leagued against them the tyrants,

by whom the world was at present infested, they might console themselves with this reflection—that wherever there was an Englishman, either of the old world or of the new—wherever there was a Frenchman, with the exception of that little band which now swayed the destinies of France in opposition to the wishes and interests of its gallant and liberal population—wherever there was a free heart or virtuous mind, there Spain had a natural and an unalienable friend.

Mr. Brougham went on to express his admiration of the mingled firmness and forbearance exhibited by the Spanish government, which, among so many provocations, had disdained to retaliate on its insulting enemies by giving utterance to accusations which might have been made against them. When, said he, the allied monarchs were pleased to adopt a system of interference with the internal policy of Spain—when they thought fit to descend to minute and paltry criticisms upon the whole course of her domestic government—when every sentence in their respective notes was a direct personal insult to every individual Spaniard, and when the most glaring attempts were made in their different manifestos to excite rebellion in the country, and to stir up one class of the community against the other: what would have been more natural for the Spanish government, than to have asked his Prussian majesty, to remember the many vows and promises which he had made some years ago to his own people, and to have suggested to him, that it would be more consistent with those promises to give his subjects a representative form of government, than to maintain at their cost, and almost to their

utter ruin, a large standing army, for the purpose of ravaging the territories, or putting down the liberties, of any neighbouring power? Might not Spain have asked the emperor of Austria, whether he, who now pretended to be so just, when the interests of Ferdinand were concerned, had acted with equal justice towards others? Whether, before he was generous to Ferdinand, he ought not to be just to England, and repay to her the whole, or a considerable part of the 20 millions he had borrowed of her in his day of distress. If the doctrine of interference in the internal concerns of neighbouring nations were at all admitted,—what could have been more rightful, in a free people, than to have asked him, how it happened, that his dungeons were filled with all that was noble, and accomplished, and virtuous, and patriotic in the Milanese?—to have called on him to account for the innocent blood, which he had shed in the north of Italy?—to have required at his hands satisfaction for the tortures inflicted in the vaults and caverns, where the flower of his subjects were now languishing—to have demanded of him some explanation of that iron policy, by which he had consigned fathers of families, the most virtuous and exalted in Europe, not to exile or death, but to a merciless imprisonment for ten, fifteen, and twenty years—nay, even for life, without a knowledge of the charge against them, or of the crime for which they were punished? Even the emperor Alexander himself, tender and sensitive as he was at the sight of blood flowing within the precincts of a royal palace—a sight so monstrous, that, if his language could be credited, it had never before been seen in the his-

tory of the world—even he might have been reminded of passages in history, calculated to lessen his astonishment, at least, if not to soothe his feelings; for the emperor Alexander, if the annals of Russian story might be trusted, however pure in himself, and however happy in always having agents equally innocent, was nevertheless descended from an illustrious line of ancestors, who had, with exemplary uniformity, dethroned, imprisoned, and slaughtered, husbands, brothers, and children. Not that those enormities were to be imputed to the parents, or sisters, or consorts; but it did happen, that those exalted and near relations had never failed to reap the whole benefit of the atrocities, and had always failed to bring the perpetrators to justice. It was, however, painful to find, that a monarch, so enlightened as the king of France had shown himself on various occasions to be, should have yielded obedience, even for a time, to the arbitrary mandates of this tyrannic Junta. He had been persuaded by them and by the parasites by whom he was at present surrounded, to tell the world, that it was from the hands of a tyrant alone that a free people could hold a constitution. That accomplished prince could not but be aware, that all the wise and good men of former times differed with him in opinion upon this point. “Non in ulla civitate, nisi in qua summa potestas populi est, ullum domicilium libertas habet.” Such was the language of Cicero; of one, who to the wisdom of a great philosopher, added the experience of a great statesman, and who, living in times of danger, and of difficulty, and having to contend with the most formidable conspiracy to which the life

and liberty of social man were ever exposed, put forth only the vigour of his own genius, and of the law, and never thought of calling into his assistance the Allobroges, the Teutones, or the Scythians of his day; "and I now say," continued Mr. Brougham, "that if the king of France calls on either the modern Teutones or the modern Scythians to assist him in this unholy war, judgment will that moment go forth against him and his family, and the dynasty of Gaul will be changed at once and for ever." The learned gentleman then asked, what were the grounds on which the necessity of this war was defended. It was said to be undertaken, because an insurrection had broken out with success at Madrid. He denied this to be the fact. What was called an insurrection, was an attempt to restore the lawful constitution of the country. Let the pretext, however, be what it might, the real cause of the war was not hard to conjecture. It was not from hatred to Spain or Portugal, considered simply as Spain and Portugal, that the allied sovereigns were for marching their hordes into the Peninsula—it was not against freedom on the Ebro, or freedom on the Mincio, that they were making war: no, it was against freedom in the abstract—wherever it was to be found—by whatever men it was enjoyed—by whatever checks it was secured—and by whatever safeguards it was guaranteed. Freedom was the object of their most inveterate hate, and against freedom they were ready to employ every species both of fraud and force. They dreaded its institutions—they abhorred its spirit; all the benefits which it had conferred upon mankind, all the monuments which had been raised in its honour, all the miracles

which had been effected by its influence, they hated with the malignity of demons; for they were compelled to fear, and tremble at the very sound of its name. It was on this account, that, disguise it as they might, they could feel no real friendship for Great Britain. It was idle to suppose that these armed critics could be bounded in their views by any limits of time or of country. If there were any portion of territory in the neighbourhood of the emperor Alexander, which appeared peculiarly suited to his views, would he not soon be able to discover some flaw in its political institutions requiring his intervention, supposing it even to be a part of the Turkish government? Nay, if his imperial majesty, with his consistency of tyrants and armed critics, were met by the Ulemah, with all his tribe of learned Muftis, pleading that their government was of the most sacred and venerable description—that it had antiquity in its favour—that it was in full possession of "the conservative principle of social order"—that it was "replete with grand truths,"—that it was "powerful and paralysed"—that it had never listened to "the fatal doctrines of a disorganized philosophy," and that it had never been visited by any such things as "dreams of fallacious liberty;" still these "three gentlemen of Verona" would not turn away, but would pry about for an avenue by which to enter into the territory in question, and if they could not find a way, would not be very scrupulous about making one; and the result would be, that, in three months from the time of deliberation, the emperor Alexander would be at Constantinople, or at Minorca; and that Austria and Prussia would be invited to look

for an indemnity in any thing that England, or the king of England, might have to suit them. Resistance to this band of congregated despots was a matter of duty, and the duty of England was in consequence plain. It behoved us, however, to take care that we did not rush blindly into a war. An appeal to arms ought to be the last alternative we should try; but still it ought never to be so foreign to our thoughts as to be conceived impossible, or so foreign from our counsels as to take us unprepared.

The thunders of applause from both sides of the House, with which this speech was received, and which continued for some minutes after Mr. Brougham sat down, gave a most unequivocal attestation, both of the unanimous sentiments of the House, and of the oratorical power which produced so strong a manifestation of them. Sir Francis Burdett, sir J. Mackintosh, and Mr. Denman, followed on the same side, but with infinitely less effect.

Mr. Canning, not having as yet been elected and returned a member of the House, was not present at the discussion. Mr. Peel was the only one of the ministers who spoke. He regretted, that Mr. Brougham should have used too strong expressions, and too sarcastic a severity against powers who were in alliance with us, and who did not deserve the sweeping invective with which they had been loaded. The recent conduct of Russia towards Turkey proved the injustice of the accusation respecting the spirit of aggression by which she was animated: for nothing could be more manifest, than that her policy of late had been marked by the greatest forbearance, and by a desire rather to avoid than to promote war.

With respect to the Spanish question, the right hon. gentleman spoke to the same purport as lord Liverpool did in the House of Lords; though upon the whole, with even more reserve, and greater caution of language. He thought, that the grounds assigned by France for her interference were not adequate; but, supposing himself to be a Frenchman, he could not tell in what light the question might then present itself. There was still, he conceived, a chance, that peace might be preserved: and our duty was, to maintain a strict neutrality, and to mediate between angry parties, so as, if possible, to prevent the commencement of a war, the termination of which no man could foresee.

The Address was carried unanimously.

The favourable feelings expressed by the ministers towards Spain, and the still greater liberality of sentiment so unequivocally manifested in the House of Commons by the enthusiastic reception of Mr. Brougham's sarcastic eloquence and vehement invective, produced general satisfaction throughout the country, and excited deep attention in every part of Europe. At Madrid, the intelligence of the discussion was received with exultation; the speeches of lord Liverpool and Mr. Brougham were translated into Spanish, and were widely circulated, wherever, either in the old world or the new, that language was spoken. Their effect at Paris, was no less visible in the terms of dislike and disrespect with which lord Liverpool, and still more Mr. Canning, were mentioned in the Chamber of Deputies, by the violent partisans of Villèle and Chateaubriand.

CHAP. II.

Temporary suspension of Discussions in Parliament on the Negotiations relative to Spain—Questions put to the Ministers by Lord Lansdown and Mr. Brougham—Removal of the Prohibition of the Exportation of Arms to Spain—Papers relating to the Negotiations on the Spanish Question, laid before Parliament—Ministerial exposition of the course of Policy which the English Cabinet had followed: the first mention of diplomatic discussion relative to Spain: Proceedings at Verona: Negotiations at Paris: our communications with, and advice to, the Spanish Government: our Proceedings subsequent to the publication of the Speech of the King of France at the Opening of the Session of the Chambers: justification of a Pacific Policy—Motion for the Repeal of the Foreign Enlistment Bill—Debate in the House of Lords on the Negotiations relative to Spain: an Address, disapproving of the Conduct of Ministers, moved by Lord Ellenborough: grounds on which it was supported; amendment moved by Lord Granville: arguments against the Address—Debate in the House of Commons, during three nights, on the Spanish Negotiations: the Address moved by Mr. Macdonald, and an Amendment to it by Mr. S. Wortley: Speech of Mr. Wilberforce; Speeches of the Chancellor of the Exchequer, Sir James Mackintosh, Mr. Peel, and Sir Francis Burdett: Mr. Canning's Speech; excellence of this Speech: Mr. Brougham's feeble Reply: manœuvre of the Opposition to avoid a Division of the House: result of the Division—Subsequent Motion of Lord Grey in the House of Lords—General state of feeling with respect to Spain throughout the progress of the Spanish War.

MR. Canning took his seat on the 12th of February, as one of the members for the borough of Harwich: but, for some weeks, a silence nearly complete was observed in both houses on the relations between France and Spain. This did not arise from indifference; for the public mind was all along fixed with eager anxiety on the issue of the existing crisis: but there prevailed a general feeling of confidence in the course of policy which our minis-

ters were pursuing, and a conviction, that, as the parliament and people of England had already expressed their opinion strongly on the subject, further discussion would only be injurious, while our negotiations continued and any chance of peace remained. On the 24th of February, the marquis of Lansdown inquired of lord Liverpool, whether there was any hope that hostilities between France and Spain would be averted. Lord Liverpool stated in reply, that mat-

ters had not yet arrived at the point which made the preservation of peace impossible; but deprecated any further discussion, as the negotiations were still continued. He added, that special circumstances had occurred, some of them very recently, which made him more averse than before, to enter more fully into the subject. The forbearance, which parliament had already shown, had been of material advantage to the ministers in their negotiations with foreign powers; and that forbearance, he hoped, would be extended somewhat longer. The marquis of Lansdown then inquired, whether the country was perfectly unshackled as to the course, which, under future circumstances, it might be necessary to adopt with a view to its own interests or honour. Lord Liverpool replied, that we had entered into no engagement whatever that could prevent us from following any path which our honour or interests might prescribe.

M. de Chateaubriand, had, in one of his speeches, asserted, that the principles on which France proceeded, were admitted even by Mr. Canning; and, in proof of his assertion, he pretended to quote some passages from the official correspondence of the secretary for the foreign department. On the 28th of February, Mr. Brougham put a question to Mr. Canning, with respect to the colour given to the foreign policy of the British ministry in that speech of M. de Chateaubriand's, and more particularly with respect to a pretended quotation, given in it, from a note said to have been written by the right hon. secretary. Mr. Canning replied, that the extracts were not fairly given, and

VOL. LXV.

that they conveyed, as absolute, propositions which, in fact, were stated with a qualification. The right hon. gentleman admitted, that the grounds of hoping for a continuance of peace had been greatly diminished; but he suggested, that while any hope remained, it would be improper to make a complete disclosure of all the circumstances connected with the late negotiations.

Upon the conclusion of peace between England and Spain, in 1814, an article was introduced into the treaty, which bound this country not to furnish succours to the South American colonies. In 1818, the *de facto* independence of these states having existed for several years, neutrality between them and the mother country required, either that the prohibition should be withdrawn, or that it should be extended to both parties. The latter course was the one which was adopted. But it was obvious, that, if this state of things were to remain unaltered upon the eve, and during the continuance, of a war between France and Spain, the latter power would be exposed to no small inconvenience from a prohibition which did not operate upon the former. Accordingly, when, from the tide of events, war became probable, his majesty's government stated to Spain, that there were two modes in which the difference between the privileges of France and those of Spain might be equalized by an order in council; either by prohibiting the exportation of arms and ammunition to France, or by removing the prohibition upon their exportation to Spain; but it was also stated, that his majesty's government could not remove that prohibition as it respected Spain, without removing it also as it re-

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spected the South American colonies. The extension of the prohibition to France, would have been a prohibition in words only and not in fact; for the vicinity of the Belgic ports would have rendered indirect exportation to France so easy, that the prohibition of direct exportation would have been nugatory. Our government therefore, anxious to preserve a real and not merely a seeming neutrality, adopted the other mode of proceeding and issued an order in council, taking off the prohibition of exporting arms and ammunition to Spain.

On the 26th of March, lord Liverpool gave notice, that he would on the 14th of April, lay upon the table of the House the papers relative to the late negotiations on the state of affairs between France and Spain. The interval between this communication and the day appointed for the production of the papers, was filled up by the Easter holidays; for both houses adjourned to the 10th of April,—the Lords, from the 26th of March; and the Commons, from the 27th. A ridiculous enough attempt was made in the House of Commons to abridge, by a few days, the usual duration of the adjournment under the pretext, that, in so critical a state of Europe, the sittings of the house ought not to be suspended so long.

On the 14th of April, the diplomatic papers, relative to the negotiations on the relations between France and Spain, were laid before parliament;* in the House of

Peers, by lord Liverpool; and in the Commons, by Mr. Canning. On this occasion, these two leading members of the cabinet entered into an exposition of the course of conduct which had been pursued by his majesty's government, and of the principles by which that conduct had been guided. When the duke of Wellington, said Mr. Canning, set out to join the Congress of Verona, it was not understood that it was in contemplation to discuss at that meeting the affairs of Spain. The matter, of which it was expected that the Congress would take cognizance, and to which the preparation of instructions had been particularly directed, was the state of affairs in the east of Europe, and the complicated transactions between Russia and Turkey. It was only on his arrival in Paris, that the duke of Wellington found that the state of Spain was likely to occupy a most important place in the deliberations of the Congress at Verona; and he instantly applied for specific instructions on that point. The requisition of the duke of Wellington (who left London, within about forty-eight hours after Mr. Canning had accepted the seals of the foreign office) was dated from Paris on the 21st of September; and the instructions transmitted in consequence were in the following terms:—"If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interfe-

* These papers (with the exception of merely formal communications) will be found among the Public Documents in a subsequent part of this volume. Mr. Canning's share in this diplomatic correspondence deserves unqualified

praise for the united perspicuity, precision, and manly elegance, with which he states the principles and views of the English cabinet.

rence, so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that, to any such interference, come what may, his majesty will not be party." These instructions did not go into much detail, and admitted no qualification; they were positive and peremptory, and from them the duke of Wellington never for one moment swerved. So far was the British government at that time from entertaining any idea that a proposition of a nature hostile to Spain would be made by France, that there was every previous reason for believing, that France would be the last quarter from which such a prohibition would come. It was a matter of public notoriety, that the king of France, on the 5th of June, declared, in allusion to the force he had stationed on his Pyrenean frontier, that the precaution thus adopted had kept from his provinces a contagion which had ravaged a great part of Spain; that with the same object only he meant to maintain the forces he had stationed; and that nothing but ill-will and calumny could find a pretext for ascribing to this precautionary measure a different purpose. Such was the statement in the last document France had issued with relation to the affairs of Spain; and the right hon. secretary mentioned it only to account for the fact, that the instructions of the British government were not, in the first instance, framed with a view to meet propositions hostile to Spain on the part of the French government. When the Congress of Verona met,

and when the propositions of the French government regarding Spain were brought forward, they were not directed to a hostile object—they were in their nature purely defensive, conditional, and hypothetical. They did not then call for the assistance of the allies against Spain: they asked merely what would be the conduct of the allies in three given cases, which all presupposed some active offence in the first instance on the part of Spain. To these inquiries, answers were given on the part of three of the continental powers, professing their readiness to countenance, and, if necessary, to support France in the specified cases. The British plenipotentiary gave no such answer. He said, that he was precluded from entering into any hypothetical engagement. He demanded, before he was called upon to give even a hypothetical concurrence to a hypothetical promise in a hypothetical case, that he should be informed, distinctly and practically, what offence Spain had actually given to France, and what were the grounds of future offence anticipated by France. The congress of Verona, during the weeks of its sittings, discussed the question in all its bearings; but the language of the duke of Wellington was the same on the last day of meeting as on the first—a positive refusal to give any answer to the inquiries of France—a positive refusal to have any thing to do with interference, by force or menace, in the internal affairs of Spain.

At the conclusion of the congress, the three great Continental Powers agreed with France to transmit to their ministers at Madrid several despatches, remonstrating with Spain on the state

of her institutions, and calling for changes in them as the price of their continued friendship and forbearance. The British plenipotentiary, however, declined any participation in that proceeding, and declared, on the part of his sovereign, that all he could do would be, to continue his minister at Madrid when the others were withdrawn, in the hope of abating the irritation such a measure must occasion, and of preventing the evil by friendly counsel and assistance.

So broke up the congress at Verona. The plenipotentiary of France left it to return to Paris, to consider what step his government would take more in advance than the rest of the continental allies: the plenipotentiaries of the continental allies, to prepare their despatches for Madrid; the British plenipotentiary, to renew at Paris the remonstrances he had ineffectually made at Verona, and in the last resort, to report to his government his disappointment, if disappointment it should be, in order that, to the minister at Madrid instructions might be sent, to disavow, on the part of this country, any participation in these proceedings; but, at the same time, to advise, and strenuously implore, that the slightest excess might be studiously avoided, which could retrospectively justify, or prospectively encourage, the war threatened by France.

The duke of Wellington arrived at Paris about the beginning of December. The French government, far from being in a more warlike disposition, were, on the contrary, inclined to maintain peace, and disposed to send back to Verona, at least to the sovereigns who had not then actually quitted

that city, the despatches prepared for Madrid, and to entreat them to reconsider the contents of those despatches, and the impropriety of the time for sending them.

Such was the first report received from the duke of Wellington. Up to this period, no communication had taken place between this country and Spain on the subject of what was passing at Verona; and the reason why no such intercourse had occurred, lay in the following circumstances: Towards the end of the last session of parliament, a loud complaint had been raised in this country respecting the state of our commercial navigation in the West Indies. Pirate-vessels, some bearing the flag of independent colonies of Spain, and others of Spain herself, had committed the most grievous depredations on British trade, to an enormous amount, and attended with circumstances of such violence and cruelty, as to call for national interposition. Not long, therefore, after parliament rose, it had been thought necessary by the British government to send orders, and therewith an armament, to the West Indies, to take into our own hands that redress which had been in vain sought by representation and remonstrance at Madrid. Orders were given to the commander, in the event of the owners of pirate vessels continuing to find refuge on the shores of Cuba, that, after first communicating with the Spanish governor of the island, and asking his assistance, he should either conjointly, or, upon his refusal, separately, effect a landing in Cuba, and root out the nest of marauders that infested those seas. About the same time, pretensions, utterly obsolete, were revived by commanders on the Spanish main,

to declare constructive blockades of the whole coast of what was Spanish America, and to capture all trading vessels that should presume to violate these blockades. Many instances, recent and flagrant, had occurred, in which the laws of these blockades had been rigorously carried into execution, and outrages of the same sort had been continued, more or less, for many preceding years. Almost from the year 1815, there had been a series of unanswered representations of unredressed grievances preferred to the Court of Madrid, which it was at length thought expedient to bring directly to a point. That justice was on the side of the British complaints, might be inferred from the circumstance, that, after negotiation, redress was finally accorded; and that the amount of the grievance was not small, might be gathered from the sum which the Spanish government itself appropriated to the liquidation of the claim, being about half a million sterling. The business, on which sir W. A'Court (our minister at Madrid) was first employed there, was in making these remonstrances, and in demanding redress. He was to communicate to the Spanish government—first, the instructions with regard to Cuba; and secondly, the further fact, that an armament had been sent to the West Indies, with orders to make reprisals, if our maritime rights should not be observed. Redress was promised on the part of Spain, and instructions were accordingly sent out to sir John Owen. Remonstrance having been once made, redress once claimed, and satisfaction accorded, no hostile feeling could possibly remain on the part of this country. But it was

not in the midst of negotiations like these, that it would have been either delicate or proper, to have entered into discussions, or made declarations, of the part Great Britain was taking on behalf of European Spain. This country had pursued two courses of action: on the one hand, it had claimed of Spain, redress for injuries inflicted under her flag in South America; and on the other, she had defended Spain against an invasion by European powers. The British government well knew, that a time must come, when a disclosure of the latter course might be made to the ministry at Madrid; and by a coincidence in point of time, it was at the close of the Congress at Verona, that our negotiations for redress had been brought to a favourable conclusion.

Before this disclosure of the discussions at Verona was made to Spain, and while she was yet uncertain what steps had been taken at Congress, an application was made on the part of the Spanish government, first, to ascertain what the precise course of the negotiations had been; and next, to interest this country to employ her good offices for the maintenance of peace. In making this request, pains were taken to make it appear distinctly, that the good offices she asked were not inconsistent with the most strict neutrality. She asked counsel and mediation—that Great Britain should offer advice to one friend, on behalf of another. Upon receiving this application, his majesty's government hesitated not a moment to write to the duke of Wellington, then expected at Paris, and to direct his grace to offer to the French government the mediation of Great Britain for the

amicable settlement of the disputes with Spain. The French government, after some negotiation, declined the offer thus made; stating as the reason, that the grounds of difference between France and Spain were not of that distinct and definite kind that admitted of exact specification, and practical adjustment; that they grew out of the state of things in which the two kingdoms found themselves; and out of the influence which what was passing in Spain had upon the internal tranquillity of his most Christian majesty's dominions; that the two nations had, in fact, got into such a condition towards each other of reciprocal jealousy and irritation, that, rather than submit to all the inconveniences of such a situation, war would be the preferable alternative, as affording at least some ultimate solution. He (Mr. Canning) admitted, that here was a case, in which we might have said to both parties, that without something more specific on either side, some sensible and tangible cause of complaint—some exact claim of redress on the part of the country supposed to be aggrieved—it would be better for us not to interfere; that we had done all that we could do with each party; and that, as our efforts had been attended hitherto with no success, we begged leave to withdraw from further interposition. Such a course was quite open to the British government: but as every thing that was stated on both sides was accompanied with the most solemn assurances of a pacific disposition; and as the British ministry did entertain an alarm, beyond any former occasion, of the danger of war, not only to Spain but to France,

and through France to Europe, it became a question very material to be debated, whether, while there remained the slightest chance of success, it was not our duty to make a further effort, as being the only power through whom it was possible that the effort should be made. There was this advantage in the present situation of affairs, as compared with the state of Europe at the opening of the Congress of Verona—that the questions were now reduced to the differences between France and Spain. The despatches from the three continental powers had been sent; their ministers had been withdrawn: the cases foreseen at Verona, in which alone the powers were bound to interpose on behalf of France, had none of them occurred. It was a matter, therefore, merely between France and Spain; and it was for this country to decide, whether it would or would not take a step, which might prevent the occurrence of war, but which could not widen the breach, and increase the danger. Under these circumstances, his majesty's ministers determined to interpose their good offices on behalf of Spain; and their anxiety, in so interposing, was to distinguish their conduct, not only from that which the continental powers in their several despatches had displayed towards Spain—not only from that which France, in the speech of her minister, had likewise declared her determination to pursue; but to distinguish it also, by the channel through which it was made, from every species of interference that did not proceed from the most friendly terms. The channel through which it was made, was the duke of Wellington.

About the first week of January, Lord Fitzroy Somerset quitted this country, with a confidential communication from his Grace to the Spanish government; and this measure was adopted, in the hope, that the expressed opinions of so distinguished a benefactor of the Spanish nation might have much influence on many leading Spaniards, who had been his Grace's personal friends and acquaintances. Not many weeks (continued Mr. Canning) after lord Fitzroy Somerset had set out, an event occurred, which shook very strongly our hopes of bringing about any accommodation between the governments of France and of Spain—be alluded to the extraordinary speech with which the French ministers opened the chambers. Of the construction, to which the words of that speech were liable, and which indeed they most naturally bore, there was not a man in the House, who thought with more disgust and abhorrence than he (Mr. Canning) did. If that speech were to be understood in the plain meaning of the words—namely, that the Spanish people were to be called upon, to consent to certain modifications in their constitution, not because it was faulty in itself, or dangerous to neighbouring states, or unsafe even to the prince who ruled by it, but because it was not an emanation from the Crown—it was clear, on the one hand, that no Spaniard, who had the slightest regard to the independence of his country, could consent either to modify, or to hear a modification proposed of that constitution; and on the other, that no British statesman, who valued his character as a member of a free state, could either think, or hear of his country being made

a party to negotiations for the purpose of discussing such monstrous proposals. Not a week, no, not even a day was lost, in conveying to France the expression of these sentiments on the part of the British government, and in telling her, that, if such was the meaning of the speech in question, there was an end to all further negotiations, at least through a British channel—that the principle avowed, was one, which a British statesman could not acknowledge, that it struck directly at the root of the British constitution—and that, as it could not be accepted as part of the British code of law, it could not be recommended by a British statesman to the acceptance of any other people. The ministers of France were likewise told, that as Great Britain did not put forward her own political institutions as the model on which those of other states were to be framed, or as the only system from which national freedom and happiness could flow, so neither could she allow France (whose freedom and happiness she did not envy, though they were described to arise from a constitution *octroyée* from the throne) to make her own example a rule for other nations, much less to force that example upon Spain, in virtue of the consanguinity of the reigning dynasties of the two countries. It was, however, added, that if this construction were disavowed, the negotiations might still continue. The French government did subsequently disavow this obnoxious construction, and adopted another, which the words were not altogether qualified to bear. The negotiations in consequence proceeded; and it was at this period, that ministers, when interrogated

on the subject in parliament, had felt themselves bound to declare, that they had considerable hopes of bringing them to a successful termination: for, however singular and extraordinary it might appear, it was nevertheless strictly true, that when the speech of the king of France was communicated to him (Mr. Canning) by the French Chargé d'Affaires in this country, it was accompanied by more profuse assurances of the desires of the French government for accommodation, and of their wishes for the good services of the British government, in producing that accommodation, than had ever been made at any previous stage of the transactions. It was not surprising, that the effect, which the French government had anticipated, had been produced upon the British government by the communications which they then made to it; but it was surprising, that the French government, by some strange and unaccountable delusion, and in spite of all the remonstrances which his majesty's ministers had made to them on the subject, should have ever thought, and indeed should still continue to think, that, in publishing the document which they had done, they had hit a chord which could not fail to vibrate at Madrid, and that they had put forward a specific, which could not fail to cure all the evils which prevailed within its meridian.

While these communications were passing between Paris and Madrid, a new application was received from the Spanish government, calling for a more active employment of the good services of this country in producing an accommodation with France. If his majesty's ministers had previously

entertained any doubts of the line of conduct which they ought to pursue, that application would have decided them: for, under such circumstances, had they declined to continue their interposition, they would have appeared to be setting their own private feelings in opposition to the judgment of those who still thought their interposition worth having. The interposition was therefore continued; but, from that time forth, the British government took no active part in the transactions. No second instructions were sent out to lord Fitzroy Somerset, and he in consequence left Madrid. Sir Wm. A'Court, being three days nearer to Paris, and the duplication of three days in the conveyance and return of the correspondence causing the delay of a week, was left to conduct the intercourse of the two parties; and all that remained for him to do was, to state to each party the proposals and answers of the other. The result of these communications was a total failure of every endeavour to maintain peace. After this failure nothing remained for Great Britain to do, but to state fairly to each party the line of conduct which she was determined to pursue, in a state of things so deplorable for the tranquillity of Europe. From the beginning to the end of these transactions it was regularly stated to the Spanish government, that we would do all that we could to avert a war; but that, if war should unfortunately ensue, it was not to be supposed, that our anxiety to avert it was to be considered as the measure of our determination to take part in it, when commenced. To France, a formal declaration was made of the course of policy, which we meant

to pursue in a despatch which had been sent to our ambassador at Paris, after all hopes of an amicable arrangement had ceased, to be by him communicated to M. Chateaubriand. That despatch, after giving a history of the negotiations, concluded in the following manner:—“It remains only to describe the conduct, which it is his majesty’s desire and intention to observe, in a conflict between two nations, to each of whom his majesty is bound by the ties of amity and alliance. The repeated disavowal, by his most Christian majesty’s government, of all views of ambition and aggrandizement, forbids the suspicion of any design on the part of France to establish a permanent military occupation of Spain; or to force his Catholic majesty into any measures, derogatory to the independence of his Crown, or to existing relations with other powers. The repeated assurances, which his majesty has received, of the determination of France to respect the dominions of his most faithful majesty, relieve his majesty from any apprehension of being called upon to fulfil the obligations of that intimate defensive connexion which has so long subsisted between the Crowns of Great Britain and Portugal. With respect to the provinces in America, which have thrown off their allegiance to the crown of Spain, time and the course of events appear to have substantially decided their separation from the mother country; although the formal recognition of those provinces, as independent states, by his majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each state towards a regular and settled form

of government. Spain has long been apprised of his majesty’s opinions upon this subject. Disclaiming in the most solemn manner any intention of appropriating to himself the smallest portion of the late Spanish possessions in America, his majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those possessions, either by conquest, or by cession, from Spain. This frank explanation upon the points, on which perhaps alone the possibility of any collision of France with Great Britain can be apprehended in a war between France and Spain, your excellency will represent to M. de Chateaubriand as dictated by an earnest desire to be enabled to preserve, in that war, a strict and undeviating neutrality—a neutrality not liable to alteration towards either party, so long as the honour and just interests of Great Britain are equally respected by both.”

Mr. Canning, after his exposition of the course which government had pursued, entered into a justification of the system of neutrality which had been adopted. He knew, that many individuals in this country thought that the invasion of Spain by a French force ought to be considered by England as a declaration of war against herself. But war, in the responsibility of those who had to make it, ought to be well and duly weighed before it was resolved on; the cause of it should not merely be sufficient, but urgent; and not merely urgent, but absolutely essential to the interest and welfare of the country which first declared it. In making these observations, did he cast any blame upon those, who, seeing a strong and powerful nation eager to crush and overwhelm with its

vengeance a less numerous but not less gallant people, were anxious to join the weaker against the stronger party? Certainly not—the feeling was highly honourable to those who entertained it. The bosoms, in which it existed in full bloom and vigour, unchastened and unalloyed by any other feeling, were much more happy than those in which that feeling was chastened, tempered, and mitigated by the considerations of prudence, interest, and expediency. He not only knew, but he envied the feelings of those who called for war, for the issue of which they were in no wise likely to be responsible: for he would confess, that the reasoning, by which the war against Spain was justified, appeared to him to be much more calculated than the war itself to excite a strong feeling against those who had projected it; and he could not understand, by what process of reasoning, or by what confusion of ideas those who defended that war contrived to persuade themselves, that they had made out any thing which approached even to a shadow of a case. The right hon. secretary added, that there were some persons, who thought that, though it might not be prudent to make war, it might still be prudent to menace war against France. These individuals he conceived to be guilty of an error in principle; as the country, which menaced war, ought always to be ready to carry those menaces into execution. There were other individuals who were guilty of an error of a different kind—an error of opinion, and who thought that we should immediately send forth a maritime armament, to watch the events that might occur on the shores of the Peninsula. Such a course

would be unworthy of a great and independent nation, and would degrade us from a first to a secondary power. Whenever we determined upon war, to wage it, not as an auxiliary, but as a principal, had hitherto been our policy; and on all former occasions, when we had resorted to hostilities, we had exerted every nerve to bring them to a safe, a speedy, and an honourable conclusion. “*Toto certatum est corpore regni.*” This, he contended, was the only sound view in which war could be contemplated. If war were the issue, it should be a war worthy of this great country; and there was no war in which the country could be engaged at the present moment, and under the existing circumstances of Europe, which would not call forth all her power, all her strength, all her energies.

On the same evening on which Mr. Canning made his statement to the Commons, lord Liverpool gave a similar exposition of our policy to the Peers. The only difference between his lordship's statement, and that of the right hon. secretary (if difference it can be called) was, that lord Liverpool, at the same time that he earnestly deprecated departure from neutrality, declared more avowedly than his colleague, that the pacific course, adopted by ministers, did not arise from any apprehension that the resources of the country were not equal to meet the exigencies of war. “I have no hesitation or difficulty,” said the prime minister, “in again declaring, what I stated on the first day of the session, that, if either the honour, or the essential interests of this country should require us to engage in war, we have the means of carrying on war with effect.

I repeat this, my lords, not loosely or generally, from the persuasion which every true British subject must entertain, that a great country like this, will always find the means of protecting itself, when its safety, its interests, or its honour, are really endangered: but I say it, from the opportunities, which my situation gives me, of examining such a question in detail; and I aver, that if any circumstances should render it either necessary or advisable for this country to engage in war, I should feel no difficulty in finding the means to support it, without materially impairing any of the great sources of our prosperity."

Mr. Brougham in the one House, and earl Grey in the other, immediately intimated their opinion, that the explanation, which had been given of the conduct of our ministers, was by no means satisfactory: but the more minute discussion of the subject was necessarily delayed, till the members had time to examine the diplomatic correspondence.

On the 16th of April, lord Althorpe moved for leave to bring in a bill for the repeal of the act which prohibited British subjects from engaging in foreign military service, and the fitting out, in his majesty's dominions, without the royal licence, vessels for warlike purposes. It was opposed on the ground, that, in the actual circumstances of Europe, such an alteration of our law would be an act of partiality in favour of Spain. It was rejected by a majority of 216 to 110.

On the 24th of April, the formal debate on the Spanish negotiations took place in the House of Lords. It was opened by lord Ellenborough, who proved, by a

detached examination of the correspondence, that France had been dishonest and insincere in her professions, and that the line of conduct pursued by her, was unjustifiable in itself, and disadvantageous to this country. Then assuming that the insincerity and mischievous policy of Villèle and Chateaubriand, were imputable as faults to Mr. Canning and lord Liverpool, and that we could have arrested France in her career without involving ourselves in hostilities, he sprung to the conclusion, that our government had not acted with sufficient vigour. He finished, by moving that an address should be read to his majesty, offering the thanks of their lordships for the communication of the papers relative to the late negotiations—expressing their regret that the endeavours of his majesty's ministers to preserve peace had been ineffectual; and at the same time representing that the course of negotiation had not, in the judgment of their lordships, been calculated to support the honour and interest of the nation; that their lordships had heard with indignation the speech of the king of France; and that it was their opinion that more prompt and decided measures on the part of his majesty's government might have prevented war.

Lord Granville moved an amendment, expressing the concurrence of the House in the principles laid down on the part of his majesty with respect to interference in the internal concerns of independent nations, and their satisfaction at the manner in which they had been applied during the late negotiations; lamenting, that the efforts to preserve the peace of Europe had not been successful; and declaring, that they should be

at all times ready to give their cordial support to such measures as might be necessary to vindicate the honour of his majesty's crown, and the interests of the country.

The address was supported by lord Holland, earl Grey, and the marquis of Lansdown; who declaimed very eloquently against France, and in praise of Spain. It was not, however, easy to gather, what was the precise nature of their charge against the ministry. Their voice was not for war; and yet it was not for peace. War was to be avoided, but we had not gone sufficiently near to it; peace was to be maintained by us, but we had not sufficiently endangered it;—such was the purport of the desultory observations, of which the debate was made up on the part of the opposition Peers.

The amendment was supported principally by lord Harrowby, the duke of Wellington, and lord Liverpool. The proposed address, they contended, was altogether unintelligible; it was not for peace, and yet it was not for war: and the supporters of it could not condemn what had been done, unless they were prepared to assert, that, we ought to have gone to war rather than permit the invasion of Spain. If such was their view of the case, why should they shrink from avowing that principle? The ministers had determined on neutrality: were they wrong in that choice? That was an issue which might fairly be tendered to them, if their opponents would venture to do so; but, if, upon that point, the policy of this government had been correct, it was impossible to throw any blame on them in respect of the details or issue of the negotiations. To have menaced war, when we

did not mean to make it, would have been at once hazardous and degrading: and it would have been absurd, when conciliation was our object, to have used such language as was calculated to irritate. Upon a division, the numbers were—Contents—present, 96; proxies, 46—142: Not-contents—present, 29; proxies, 19—48: majority in favour of the amendment, 94.

The debate on the conduct of our cabinet in the negotiations relative to Spain, commenced in the House of Commons on the 28th of April, and was protracted through that and the two following nights. The unusual length of the discussion was occasioned in a great measure by the circumstance, that Mr. Canning, from whom the formal and complete defence of our policy was expected, did not rise in the course of the first two evenings;—a delay, which, on his part, was supposed to arise from a wish to be preceded by Mr. Brougham. The speeches from the Opposition side of the house were on this occasion more than usually deficient in argument, and were far from being adequate either to the importance of the subject or the interest which it excited. The assailants seemed afraid to come to close quarters with the ministry whom they accused: they railed at the continental sovereigns, deprecated war, and complained of what had been done: but they neither ventured to make specific charges, nor to define explicitly the course which ought to have been followed.

Mr. Macdonald opened the debate by moving:—"That a humble address be presented to his majesty, to inform his majesty, that this house has taken into its most

serious consideration the papers relating to the late negotiation, which have been laid before them by his majesty's gracious command; to represent to his majesty that the disappointment of his majesty's benevolent solicitude to preserve general peace appears to this house to have, in a great measure, arisen from the failure of his ministers to make the most earnest, rigorous, and solemn protest against the pretended right of the sovereigns, assembled at Verona, to make war on Spain on account of her political institutions; as well as against the subsequent pretensions of the French government to deny that nations can lawfully enjoy any civil privileges but from the spontaneous grant of their kings; principles destructive of the rights of all independent states, which strike at the root of the British constitution, and are subversive of his majesty's legitimate title to the throne: further, to declare to his majesty the surprise and sorrow with which this house has observed that his majesty's ministers should have advised the Spanish government, while so unwarrantably menaced, to alter their conduct, in the hope of averting invasion; a concession which alone would have involved the total sacrifice of national independence; and which was not even palliated by an assurance from France, that, on receiving so dishonourable a submission, she would desist from her unprovoked aggression: Finally, to represent to his majesty, that, in the judgment of this house, a tone of more dignified remonstrance would have been better calculated to preserve the peace of the Continent, and thereby to secure the nation more effectually from the hazard of

being involved in the calamities of war."

Mr. S. Wortley moved an amendment in the same words as that which had been carried in the House of Lords.

On the first evening of the debate, the address was supported, among others, by Mr. Hobhouse and Mr. Baring; the amendment, by lord F. Gower, Mr. Bankes, and Mr. H. Sumner. Mr. Wilberforce accorded to the cabinet a qualified approbation. Though he could have wished to have seen a higher moral tone preserved in our diplomatic papers, ministers, he thought, had manifested a sincere desire to preserve the peace of Europe, and to prevent the unjust aggression against Spain. But they had fallen into a mistake not uncommon with persons who had to deal with unprincipled men. Knowing that such men were bound by no ties of moral rectitude or justice, they had put in operation such a policy as they thought would best answer the purpose of their negotiations: whereas, they ought to have relied on those high principles which had hitherto pervaded, and he hoped would long continue to direct, the councils of this country. He regretted, that they had not said from the first, not only that we would not co-operate, but that it was contrary to the principles of the British constitution—contrary to the principles of justice, and to the common rights of humanity—that France should persevere in her designs against Spain. But there was one point which had not, he thought, been sufficiently attended to in the course of the present debate. It was this. The desire of ministers being to prevent the war, they

were bound in the pursuit of that object, not to use language, which might, by exciting in Spain the hopes of assistance from this country, induce her to refuse such concessions, as were at once compatible with her interests and her honour, and would take away from France the very shadow of a pretext for the violation of her independence. In his conscience he was persuaded, that his majesty's government had intended fairly and honestly; and, though they might have erred, through their too great anxiety for the interests of the country, in not preserving that firm tone, which with perfect consistency they might have held, still he could not concur in the motion of censure which had been proposed.

In the second evening, the chancellor of the Exchequer and Mr. Peel took a share in the discussion. If it could be shown, said Mr. Robinson that the entering upon a war, abstractedly speaking, was a mere matter of indifference to this country, or, that we could gain by such a step, then was blame to be attributed to his majesty's ministers. But, if it was once admitted, that peace was our policy, the next inquiry was, whether, in the late negotiations, his majesty's ministers had taken the course best calculated—first, to prevent any war; and, their efforts to that effect being unavailing, whether they had used their best endeavours to prevent our participation in it? His majesty's ministers were called to account upon this occasion, not for having unnecessarily plunged the country in war; not because they had not taken the necessary steps to preserve the peace of this country; but because they had not taken

what were considered the necessary steps to prevent a war between two powers—between whom there existed causes of irritation, which had a strong tendency to involve them in hostilities.

One complaint was, that, during the late negotiations, his majesty's ministers had not assumed that high tone of remonstrance which became the government of this country. Now, it appeared to him, that there was some difficulty in clearly defining and understanding what was meant by a "high tone of remonstrance." Some members might imagine it was to be found in the angry and vehement declamation of the noble member for New Sarum (lord Folkestone): others, that it ought to be couched in the violent invective and bitter sarcasm of the member for Winchelsea (Mr. Brougham); while a third would, perhaps, be of opinion, that it was to be discovered in the refined and epigrammatic satire of the mover of the original address. But, under such conflicting opinions, how were they to come to a decision? It was true, that nothing was more easy than to deal out the harshest terms, the grossest invectives against foreign powers; but, would any hon. member assert, that it would be right to pursue a similar course in diplomatic negotiations? While he maintained that our language to our allies should be that of persuasion rather than of menace, did he admit that this country had made no remonstrance against the aggressions of France? Did he admit that ministers had not forcibly pointed out to those allied powers the dangerous consequences likely to result from such a course of proceeding, and had not decidedly opposed themselves to the projects of those

powers? No. The conduct of his majesty's ministers had been of a nature diametrically opposite; in proof of which, he referred the House to the two last paragraphs of the confidential minute of lord Castlereagh on the affairs of Spain, addressed to the courts of Austria, France, Prussia, and Russia, in May, 1820.

Another complaint, said the chancellor of the exchequer, was, that we committed a very great mistake in not having, at the termination of the Congress at Verona, said to the allied powers, "Well, as we cannot induce you to give up your views on this question, we have nothing more to say to you." Why this, I think, is a matter very doubtful. Was it better for us to say to them, "We will have nothing more to say to you in the present state of things;" or to say, "Shall we make a last attempt to bring about a reconciliation?" I cannot undertake to say (for I am not quite so prophetic as the author of the address, who has undertaken to say so), what the future event of all these proceedings may be; but this I say, that, if any chance of averting that war by the continuation of our good offices and mediation should offer, it was our duty to avail ourselves of it. It was our duty to do so, with a view to the happiness and interest both of Spain, and of France. To the charge, further, that England had advised Spain to modify her institutions, Mr. Robinson replied, that, if Spain had not desired the interference of Great Britain, and called for her advice, it might not have been right, under the circumstances, for England to have tendered her suggestions. But, England was called upon to act, and called upon by

Spain; and the question was, whether the advice she gave was, under the circumstances, deserving approbation or censure? England stood, as it were, between two persons, strongly opposed to each other, both of whom had applied to her. England, as the third party, saw, from the nature of the dispute, and from the temper of the parties, that there was no chance of reconciliation, unless some concession was made. Concession she clearly saw was the price to be paid for reconciliation. England advised nothing disparaging to Spain—nothing that could sink her character or encroach upon her independence. England advised Spain not to yield to any threat of France, nor to depart from the high tone of independence which it was necessary for her honour and security to maintain; but it was one thing not to yield to any demand of France, and another thing to listen to the amicable and friendly suggestions of Great Britain. Spain, however, rejected the proposition as inadmissible, and the negotiation terminated. England during that negotiation never advised Spain to do any thing that in the remotest degree would compromise her independence; and, least of all, did we advise her to yield to the monstrous principle contained in the speech of the king of France, which went to represent all free governments as mere waste paper, unless they proceeded from the mouth of kings. "It has been said," added Mr. Robinson, "that we have been grossly deceived by the French government. Undoubtedly it cannot be denied, that the conduct of France has been such as to excite very great surprise on our part. But it is going a little too far to charge our government with having suf-

ferred itself to be deceived, when the party, with whom we were treating, was changing its mind from day to day. The French government was very little prepared on one day for the change which its opinions might undergo on the next. We are not to be blamed, because we could not anticipate such unexpected changes."

Sir James Mackintosh expatiated chiefly on two points; first, that the internal dissensions of Spain afforded no sufficient reason, why we should abstain from assisting her; and secondly, that the occupation of Spain by France endangered the balance of power in Europe, and was an adequate cause of war. He illustrated those topics with his usual eloquence and historical lore: but it is not easy to see how they bore upon the substance of the question that was before the House, when they were insisted on by one who declined to contend that we ought to have plunged into hostilities. Not more than five minutes, said Mr. R. Peel in reply to him, did the hon. and learned gentleman employ in showing that the country ought to have assumed a more dignified tone in the late negotiations; and the arguments, which he had subsequently addressed to the passions, the reason, and the judgment of the House, all went to show, that the country ought to have made a declaration of war. He had referred much and often to the balance of power; and for what purpose?—to convince the House that it was now in such jeopardy, that we were bound to interfere for its preservation, even at the expense and hazard of being involved in war. The real question, however, was, did the honour of the country, and, if the honour, did the interests

of the country, render it necessary that we should become a party to the war? Did, then, the honour of the country require of us war? No. Did its interests? No. Did the faith of treaties? No. Did the voice of the people of England? Again he boldly answered, No. Did the government of Spain? Again and again he boldly answered, No. Since, then, neither Spain, nor the voice of the people of England, nor the faith of treaties, nor the interest, nor the honour of the country, required of us war, was there any reason for criminating the government, because it had not resorted to such a course? With respect to that part of the argument on the other side, which was intended to prove that a dignified tone had not been maintained by us in the late negotiations; Mr. Peel alleged, that a very artful attempt had been made to confound the different periods of the negotiations, and that the instructions, given by Mr. Canning in the first page of the correspondence, had been quoted to prove, that, when France first declared her intention of attacking Spain, our language had not been so strong and vigorous as it ought to have been. The words of his right hon. friend, "to such interference, come what may, his majesty will not be a party," used at the very outset of the negotiations, had been applied to events which had occurred three months afterwards, and had been quoted as the only remonstrance which we made to the French on their crossing the Bidassoa. The papers themselves furnished proof that this was not the case; and he therefore could not help complaining, that such an assertion had ever been allowed to go forth to

the public. It appeared to him, that these negotiations were divided into three distinct periods: the first, the period between the assembling and the close of the Congress; the second, the period between the return of the duke of Wellington to Paris, and the publication of the speech of the king of France; and the third, all the period that had since elapsed. Any man, who read the despatches for the purpose of criticising them, ought to keep these three periods perfectly distinct from each other in his mind, and to apply the language used during each of them to things as they then existed. He ought also to recollect, that at present we were rendered wise by the result, and should not forget that the writer of them had to enter into calculations of probabilities, with which at present we had nothing whatever to do. The object of the British government, during the first of these periods, was, to prevent a declaration from being made against Spain by the allied powers. Now had such a declaration been made or not? If it had not, how could it be justly said that the English negotiator had been duped? Indeed, what was the language used by France regarding these negotiations? Why, M. Montmorency said, that the measures, which the French government had contemplated for the amelioration of Spain, would have succeeded but for the conduct of England. That was at least an admission, on the part of France, that she did not consider her interests to have been forwarded by the part which we played at the late Congress. What was the opinion of Spain on the same point? Though she had complained of our conduct when she

VOL. LXV.

was unacquainted with it, as soon as she was informed of its effects, her minister, San Miguel, said to sir W. A'Court, on the 24th of December.—“We are sure of England, and are satisfied with her position.” Did San Miguel say, that he expected that we should go to war? No such thing: but he pointed out the course, which, he thought would be most conducive to Spanish interests. He said, “There is nothing to induce us to ask for your mediation at present, but we are at sea, surrounded by dangers and menaced by storms, and it is impossible to say that we may not yet require a friendly hand.” On a still later occasion the language of Spain, whom we were accused of not having favoured, was couched in the following terms:—“To England, who has taken, in the conferences at Verona, so moderate and pacific a line, it now belongs to crown her work.” To crown her work! He wished the House to attend to the expression—did they think that the Spanish minister would have made use of it, had he been dissatisfied with our conduct?

Mr. Peel then vindicated the mission of lord Fitzroy Somerset, to Madrid, against the censures which had been cast upon it; and contended, that the advice which the duke of Wellington had offered, through him, to the members of the Spanish government, was well calculated to promote its best interests. His grace did not propose to them to make any modifications in the Spanish constitution that were not clearly for its benefit and improvement. Was there any thing in the nature of those modifications to prevent their acceptance by Spain; or any thing in the menace of a third power

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which made it imperative upon her to reject them? What would have been the result, if she had accepted them? The withdrawal of the Army of Observation from the Pyrenees, to the presence of which they attributed so much of her calamities. As, at that moment, the king of France's speech had not been made public, Spain might certainly have consented without any loss of honour; and by such consent she would have united her people, and ameliorated their condition, more than she could do by any subsequent measure. He admitted, however, that after the French king's speech, even such a modification could not have been submitted to Spain with propriety. But, was it not too much that England should be made responsible for an entire change in the policy of the French government?

Sir Francis Burdett followed Mr. Peel, and met the question much more fairly and distinctly than any other of the opponents of ministers. He insisted, that the discussion had nothing to do with the question of peace or war; but simply, whether we had so conducted ourselves, as to convey to the minds of the French and other foreign ministers, the sense entertained by this country of the injustice meditated and done by France to Spain? Now, with respect to what had taken place at Verona, he thought there was, on the face of those transactions, more than sufficient to call down on the head of any English minister the censure contemplated by the original address. The French minister, at the outset, asked the noble duke who was our plenipotentiary, if England would concur with France in their aggression on Spain; and he had had the inso-

lence, to go on and inquire, what effectual support this country would give to France, in case of her making this attack. Now, without using violent language, or menaces leading to war, there was a dignified expression of virtuous feeling, which would have brought to the minds of the makers of such propositions a knowledge of the sentiments which this country must entertain with regard to its atrocity. If we had said, that we were astonished and shocked at such conduct, and that far from having our support, we should feel it necessary to throw the whole weight of our moral authority into the other scale, such language would not have been without effect. There were a variety of modes of proceeding besides war, which might have been adopted, and which would have kept us out of the situation in which we were now placed—a situation, which even those persons, who were anxious to preserve peace at all events, must acknowledge was a most ambiguous one. Suppose we had said—“Your conduct is a violation of every principle of justice. Not only will we not be an accomplice in the transaction, but we must follow the severe line of our duty, and withdraw from your court our ambassador.” This would have been an answer to the question, more consonant to the dignity of England and to the character which she had hitherto supported, but which she now seemed inclined to relinquish. Such an answer would have been more likely to deter France from her vile and detestable project, than telling her that she was undertaking an “unnecessary responsibility.” It had been argued, that no member ought to vote for the address, who did not

think that this country should have gone to war in the event of the invasion of Spain. He (sir Francis Burdett) could not think, that, at the outset of these negotiations, it was at all incumbent on a British minister to let France into the secret as to what this country might or might not do. War or peace should have been left to depend on the acts of the parties. But, when pains were taken to tell France, that, whatever she might do, she had nothing to fear, it was impossible to believe in the sincerity of the desire of our ministers to prevent the aggression on Spain. If they had been sincere in a different sense—sincere well-wishers to the Bourbon scheme of aggression, and sincere enemies of the interests of Spain—if they had been accomplices and not dupes—he could not see what conduct they could have adopted more unfavourable to Spain, and more likely to forward the unjust views of the Bourbons, than such a proceeding. The notes of the French ministers all appeared to be written in a confidential way, as if they were addressed to persons who in their heart wished well to their designs; as if, indeed, there was something in this country, under the shape of public opinion, which the ministers could not conveniently defy, so that the force of this country could not well be applied to aid them, but as if it could not be doubted that the good-will of our government went along with them in the whole of the transactions.

It was said, that France never could effect the conquest of Spain—that there were in that country millions of men who defied invasion. If this was the case, what became of the argument, that war would be dangerous and ruinous?

Why, if we could have entered on a war with such allies, and in a cause so certain of success, what an opportunity had we lost of elevating our character, and of taking that high ground which we ought to hold in the estimation of Europe? But the truth was, that, if the French government had known, or even apprehended, that a war with England was the necessary consequence of a war with Spain, the Bourbons would never, have embarked in the unjust contest.

That a war with France would be inconvenient at the present moment, there was no doubt. There could be as little doubt, that every man whom he addressed, would be desirous, if possible, to avoid it. But there was such a thing as national honour—a thing even more precious than national immediate interests; and England was sacrificing her honour as a nation, if she consented to remain at peace, when the proper course for her was war. It might be said, perhaps, that England was in a situation requiring repose, which made it necessary for her to consult her domestic arrangements, and to prefer immediate to more remote advantage. But if this was so, why not say so openly? Then there was no compromise of character—no honesty lost. But it was poor to see men standing forward and vaunting their strength, affecting to say—"We are what we have been, and we can maintain the honours which were won for us by our fathers;" and yet shrinking (in a cause, too, from which least of all they ought to shrink) the moment their boasted powers were in danger of being put to the proof. If England had taken part in the war, she would not have been opposed

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to France. She would have been opposed only to the bigotted house of Bourbon, who, if they succeeded in their counter-revolutionary enterprise, would carry the principle of that enterprise back into their own country, making the evil eventually recoil upon France, which they had compelled France to become the instrument of inflicting upon Spain. There was nothing, therefore, (the hon. bart. continued) to have made a war with France, under existing circumstances, formidable. He believed he must admit, that a majority of the House was in favour of peace—of “peace, come what may;” he too was for peace, as far as that peace could be consistent with the honour and safety of England, but to barter honour and future security for the chance of present quiet was a course, to his thinking, not more cowardly than impolitic. To the whole conduct of the negotiations, therefore, he stood decidedly opposed. He did not see at all, that ministers were bound to let France at once into the secret of what was to be the course of England. But, if it was right for England to speak out, he would state what it was that England ought to have said. She ought to have said to the Bourbons—“We wish you well: We have been your benefactors: We wish you to remain safe where you are: for it is impossible for you to commit violations of the law of nations and of the peace of Europe, without, in the end, compelling England to become your adversary.” All this might have been said—all, that he thought for the honour of England, ought to have been said, in the most friendly way; and, having been so said, it could scarcely have failed to have had its effect. If France had early

seen and known, that England would take that line of conduct, Europe would now have been at peace instead of being at war. If ministers had been sincere, even their friends must admit that they had, from whatever cause been, in the last degree, unsuccessful. But he gave them no credit for sincerity in their efforts. He looked to the whole course of the published negotiations: and far from seeing the cause of the oppressed taken up by his majesty’s ministers, he saw nothing but a constant participation in the views of the oppressor. As far as there was any exhibition of friendship towards the oppressed party, if that friendship had not been treacherous, it had assuredly been most woefully deficient in discretion and sound sense. The hon. baronet, after observing that with respect to the immediate questions before the House, he was quite as well pleased (excepting only one or two words) with the spirit of the amendment as with that of the original motion, declared that he considered the interests of Spain and of England to have been most unjustifiably compromised, throughout the late negotiations: and he apprehended no other result, if the contest between Spain and France should be prolonged, but that England would eventually be compelled to enter into the contest, under disadvantages which would not have attached to her in its commencement.

On the third night of the debate, after several members on both sides of the House had spoken (among whom Mr. H. Twiss distinguished himself by a speech in support of the Amendment, which was not very patiently listened to, but which exposed with great acuteness and dexterity of argu-

ment the inconsistencies of the views that were advocated by the opponents of ministers). Mr. Canning, being loudly called for from every part of the House, rose at a quarter before 11 o'clock, and commenced the long-expected justification of himself and his colleagues.

"We could not" said the right hon. Secretary, "take a single step in the late negotiations, till we had determined what direction ought to be given to those negotiations, so far as the question of peace or war was concerned. We determined that it was our duty, in the first instance, to endeavour to preserve peace, if possible, for all the world: next, to endeavour to preserve peace between the nations whose pacific relations appeared most particularly exposed to hazard; and, failing in this, to preserve at all events peace for this country; but a peace consistent with the good faith, the interests, and the honour of the nation."

This decision, he admitted, was a fit subject of examination: for undoubtedly the conduct of the government was liable to a twofold trial. But, in entering on an inquiry as to the merits or demerits of the negotiations, it was necessary to set out with assuming, for the time, that peace was the object which we ought to have pursued.

"In reviewing, then," said Mr. Canning "the course of these negotiations, as directed to maintain, first, the peace of Europe; secondly, the peace between France and Spain; and lastly, peace for this country,—they divide themselves naturally into three heads:—first, the negotiations at Verona; secondly, those with France; and thirdly, those with Spain."

: At Verona, he contended we were completely successful. "In

proof of this," said he, "my first witness is the duke Mathieu de Montmorency; who states, in his official note* of the 26th of December, that the measures conceived and proposed at Verona, 'would have been completely successful, if England had thought herself at liberty to concur in them.' Such was the opinion entertained by the plenipotentiary of France of his failure at Verona, and of the cause of that failure.—What was the opinion of Spain? The voucher for that opinion is the despatch from sir William A'Court, of the 7th of January,† in which he describes the comfort and relief that were felt by the Spanish government, when they learnt that the congress at Verona had broken up, with no other result than the *bruta fulmina* of the three despatches from the courts in alliance with France.

"Whatever might grow out of a separate conflict between Spain and France (though matter for grave consideration) was less to be dreaded, than that all the great powers of the continent should have been arrayed together against Spain;—and although the first object, in point of importance, indeed, was to keep the peace altogether,—to prevent any war against Spain—the first, in point of time, was, to prevent a general war;—to change the question from a question between the allies on one side, and Spain on the other, to a question between nation and nation. This, whatever the result might be, would reduce the quarrel to the size of ordinary events, and bring it within the scope of ordinary diplomacy. The immediate object of England, therefore,

* See Papers, Class A, No. 11.

† See Papers, Class B, No. 14.

was, to hinder the impress of a joint character, from being affixed to the war—if war there must be,—with Spain;—to take care that the war should not grow out of an assumed jurisdiction of the congress;—to keep within reasonable bounds that predominating areopagitical spirit, which the memorandum of the British cabinet, of May 1820, describes as ‘beyond the sphere of the original conception, and understood principles of the alliance,’—an alliance never intended as a union for the government of the world, or for the superintendence of the internal affairs of other states. And this, I say, was accomplished.

“With respect to Verona, then, what remains of accusation against the government? It has been charged, not so much that the object of the government was amiss, as that the negotiations were conducted in too low a tone. But the case was obviously one in which a high tone might have frustrated the object; and, besides, as a tone of reproach and invective was unnecessary, it would have been misplaced. There are others, who think, that with a view of conciliating the great powers, we should have addressed them as tyrants and despots, who were trampling on the rights and liberties of mankind. I doubt whether it is wise even in this House, to indulge in such a strain of rhetoric;—to call ‘wretches’ and ‘barbarians,’ and a hundred other hard names, powers, with whom, after all, if the map of Europe cannot be altogether cancelled, we must, even according to the admission of the most anti-continental politicians, maintain some international intercourse. But be the language of good sense or good taste in this House

what it may, clear I am, that, in diplomatic correspondence, no minister would be justified in risking the friendship of foreign countries, and the peace of his own, by coarse reproach and galling invective; and that even while we are pleading for the independence of nations, it is expedient to respect the independence of those with whom we plead. We differ widely from our continental allies on one great principle, it is true; nor do we, nor ought we to disguise that difference; nor to omit any occasion of practically upholding our own opinion: but every consideration, whether of policy or of justice, combines with the recollection of the counsels which we have shared, and of the deeds which we have achieved in concert and companionship, to induce us to argue our differences of opinion, however freely, with temper; and to enforce them, however firmly, without insult.

“It had been asked why we sent plenipotentiary to the congress at all?—Originally it was not intended to send a British plenipotentiary to Verona. The congress at Verona was originally convened solely for the consideration of the affairs of Italy, with which England had declined to interfere two years before. England was therefore not to participate in those proceedings; and all that required her participation was to be arranged in a previous congress at Vienna. But circumstances had delayed the duke of Wellington’s departure from England, so that he did not reach Vienna till many weeks after the time appointed. The sovereigns had waited to the last hour consistent with their Italian arrangements. The option was given to our plenipotentiary to meet them

on their return to Vienna ; but it was thought, upon the whole, more convenient to avoid further delay ; and the Duke of Wellington therefore proceeded to Verona."

Another question had been asked, why Spain was not invited to send her ambassador to the congress, Mr. Canning contended, that England was not the power, that should have taken any preliminary steps to that end, as we did not wish the affairs of Spain to be brought into discussion at all ; and, secondly, if Spain had been so called upon, the ambassador would have been sent either as from the king of Spain, or as from the cortes. On the first supposition, the effect could not have been favourable ; and, on the latter, it was equally certain it would have led to such a declaration from the alliance, as we wished to prevent.

The result of the congress as to Spain, was simply the discontinuance of diplomatic intercourse with that power, on the part of Austria, Russia, and Prussia ;—a step neither necessarily nor probably leading to war ; perhaps (in some views) rather diminishing the risk of it ; a step which had been taken by the same monarchies towards Portugal two years before, without leading to any ulterior consequences. Its result, as to France, was a promise of countenance and support from the allies in three specified hypothetical cases ;—1st, of an attack made by Spain on France ; 2nd, of any outrage on the person of the king or royal family of Spain ; 3rdly, of any attempt to change the dynasty of that kingdom.

Mr. Canning then proceeded to justify our conduct in the negotiations at Paris. He observed, that, having succeeded in preventing a

joint operation against Spain, we might have rested satisfied with that success, and trusted, for the rest, to the reflexions of France herself on the hazards of the project in her contemplation ; and he owned that we did hesitate, whether we should not adopt that more selfish and cautious policy. But there were circumstances attending the return of the duke of Wellington to Paris, which directed the decision another way. His grace found, on his arrival in that capital, that M. de Villèle had sent back to Verona the drafts of the despatches of the three continental allies to their ministers at Madrid, which M. de Montmorency had brought with him from the congress ;—had sent them back for re-consideration ;—whether with a view to obtain a change in their context, or to prevent their being forwarded to their destination at all, did not appear. At the same time, it was notorious, that a change was likely to occur in the cabinet of the Tuilleries, which did in fact take place shortly afterwards, by the retirement of M. de Montmorency, the adviser of war against Spain. And, in the third place, it was precisely at the moment of the duke of Wellington's return to Paris that we received a direct and pressing overture from the Spanish government, which placed us in the alternative of either affording our good offices to Spain, or of refusing them.

Add to this, that the question had assumed a different shape ; it was reduced from a contest between Spain and a self-constituted corporate power, to one between kingdom and kingdom. Accordingly, although at Verona a discouraging answer had been given to a proposal of mediation, our plenipotentiary,

the moment he arrived at Paris, offered that mediation. Nor was there any inconsistency here; for there was a wide difference between negotiation with that alliance which had assumed to itself a character which we had denied by the memorandum of the late lord Londonderry, and a negotiation between kingdom and kingdom. It had been represented, that the refusal of our mediation by France was a blow which we ought not to have submitted to; but he must beg it to be distinctly understood, that the refusal of our mediation was no affront, and that to accept our good offices, after the refusal of mediation, was no humiliation. True it was, that our good offices were ineffectual. Our failure had been ascribed by some to the intrigues of Russia; but Mr. Canning's conviction was, that the war was forced on the French government by the violence of a political party in France; that at one time the French government hoped to avert it; and that, up to the latest period, some members of that cabinet would gladly have availed themselves of the smallest loophole, through which the Spanish government would have enabled them to find a retreat. "But we, forsooth," said he, "are condemned as dupes, because our opponents gratuitously ascribe to France one settled, systematic, and invariable line of policy;—because it is assumed, that from the beginning France had but one purpose in view; and that she merely amused the British cabinet from time to time with pretences which we ought to have had the sagacity to detect. If so, the French government had made singular sacrifices to appearance. M. de Montmorency was sent to Verona; he ne-

gociated with the allies, he brought home a result so satisfactory to France, that he was made a duke for his services. He had enjoyed his new title but a few days, when he quitted his office. On this occasion I admit that I was a dupe—I believe all the world were dupes with me—for all understood this change of ministers to be indicative of a change in the counsels of the French cabinet—a change from war to peace. For eight and forty hours I certainly was under that delusion; but I soon found that it was only a change, not of the question of war, but of the character of that question: a change, as it was somewhat quaintly termed—from European to French. The duke M. de Montmorency, finding himself unable to carry into effect the system of policy which he had engaged, at the congress, to support in the cabinet at Paris, in order to testify the sincerity of his engagement, promptly and most honourably resigned. But this event, honourable as it is to the duke de Montmorency, completely disproves the charge of duplicity brought against us. That man is not a dupe, who, not foreseeing the vacillations of others, is not prepared to meet them; but he who is misled by false pretences put forward for the purpose of misleading him. Before a man can be said to be duped, there must have been some settled purpose concealed from him, and not discovered by him; but here there was a variation of purpose, a variation too, which, so far from considering it then, or now, as an evil, we then hailed and still consider as a good. It was no duplicity on our part to acquiesce in a change of counsel on the part of the French cabinet, which proved the

result of the congress at Verona to be such as I have described it—by giving to the quarrel with Spain the character of a French quarrel.

“When I first described the question respecting Spain as a French question, the duke de Montmorency loudly maintained it to be a question *toute Européenne*; but M. de Chateaubriand, upon my repeating the same description in the sequel of that correspondence, admitted it to be a question at once and equally *toute Française et toute Européenne*:—an explanation, the exact meaning of which, I acknowledge, I do not precisely understand; but which, if it does not distinctly admit the definition of a question *Française*, seems at least to negative M. de Montmorency’s definition of a question *toute Européenne*.”

Mr. Canning passed next to the last stage of the proceedings—our negotiations at Madrid. The first point complained of here, was, that we had asked the Spanish government for assurances of the safety of the royal family. The answer was, that one of the causes of war prospectively agreed upon at Verona, was any act of personal violence to the king of Spain or his family. We endeavoured, therefore, to obtain such assurances from Spain as should remove the apprehension of any such outrage—not because the British cabinet thought those assurances necessary—but because it might be of the greatest advantage to the cause of Spain, that we should be able to proclaim our conviction, that upon this point there was nothing to apprehend; and that we should thus possess the means of proving to France that she had no case, arising out of the conferences of Verona, to justify a war. Such assurances Spain might

have refused—she would have refused them—to France. To us she might—she did give them, without lowering her dignity.

The other disputed point, on this part of the case, was our suggestion to Spain of the expediency of adopting some modifications of her constitution. The channel, through which that suggestion was made, was the most proper that could have been selected; and the suggestion itself was such as Spain might have acceded to without disgrace and without danger, and, if followed, would have prevented all the evils that now threatened Europe. Mr. Canning did not blame the Spaniards for having refused to make any sacrifice to temporary necessity; but still he lamented the result of the refusal. Of this he was quite sure, that even if the Spaniards were justified in point of honour in objecting to concede, it would have been a most romantic point of honour in Great Britain which would have induced her not to recommend concession. It had been said, that every thing was required of Spain, and nothing of France. That he utterly denied. France said to Spain, “Your internal state disquiets me,” and Spain replied to France, “Your Army of Observation disquiets me.” There were, therefore, but two remedies—war or concession; and why was England fastidiously to say, “Our notions of non-interference are so strict, that we cannot advise you even for your good; though, whatever concession you may make, will be met by corresponding concession on the part of France.” Undoubtedly the removal of the Army of Observation was as much an internal measure as the removal of any blot in the constitution of

Spain. Accordingly, there was no instance in which Spain had been desired to yield any part of her institutions, in which it was not simultaneously held out to her, that France, on that condition, would withdraw her Army of Observation. England did not pretend to say, which of the parties was right, or which wrong, but she saw that war was the inevitable consequence of perseverance; and, if concession were made on the one side, she undertook to procure it on the other. "I do not pretend," said Mr. Canning, "to decide, whether the number of legislative chambers in Spain should be one, two, or three. In God's name let them try what experiment in political science they will, provided we are not affected by the trial. All that Great Britain has done on this occasion, has been, not to disturb the course of political experiment, but to endeavour to avert the calamity of war. Good God! when it is remembered how many evils are compressed into that little word "war"—is it possible for any man to hesitate in urging every expedient that could avert it, without sacrificing the honour of the party to which his advice was tendered? Most earnestly do I wish that the duke of Wellington had succeeded: but great is the consolation that, according to the best accounts from Spain, his counsels have not been misunderstood there, however they have been misrepresented here. I believe that I might with truth go further, and say, that there are those in Spain, who now repeat the rigid course pursued, and who are beginning to ask each other—why they held out so pertinaciously against suggestions at once so harmless and so reasonable? My

wish was, that Spain should be saved; that she should be saved, before the extremity of evil had come upon her—even by the making of those concessions, which, in the heat of national pride, she refused. Under any circumstances, however, I have still another consolation—the consolation of knowing, that never from the commencement of these negotiations, has Spain been allowed by the British government to lie under the delusion that her refusal of all modifications would induce England to join her in the war. The very earliest communication made to Spain forbade her to entertain any such reliance. She was told at the beginning, as she was told in the end, that neutrality was our determined policy.

"France, on the contrary, was never assured of the neutrality of England, till my despatch of the 31st of March was communicated to the French ministry at Paris. The speech of the king of France, on the opening of the chambers, excited not only strong feelings of disapprobation by the principles which it avowed, but serious apprehensions for the future, from the designs which it appeared to disclose. I have no difficulty in saying, that the speech, delivered from the British throne at the commencement of the present session, did, as originally drawn, contain an avowal of our intention to preserve neutrality; but, upon the arrival of the king of France's speech, the paragraph containing that avowal was withdrawn: and I plainly told the French Chargé d'Affaires, that such an intimation had been intended, but that it was withdrawn, in consequence of the speech of the king, his master. Was this truckling to France?

"It was not, however, on account of Spain that the pledge of neutrality was withdrawn: it was withdrawn upon principles of general policy on the part of this country—because there was that in the king of France's speech, which appeared to carry France and England back to their position in older times, when France, as regarded the affairs of Spain, had been the successful rival of England. Under such circumstances, it behoved the English ministers to be upon their guard. We were upon our guard. Could we prove our caution more than by withholding that assurance, which would at once have set France at ease? We did withhold that assurance. But it was one thing to withhold the declaration of neutrality, and another to vary the purpose.

"Spain, then, I repeat, has never been misled by the British government. But I fear, nevertheless, that a notion was in some way or other created at Madrid, that if Spain would but hold out resolutely, the government of England would be forced by the popular voice in this country, to take part in her favour. I infer no blame against any one; but I do firmly believe that such a notion was propagated in Spain, and that it had great share in producing the peremptory refusal of any modification of the constitution of 1812."

Such was the tenor and the essence of Mr. Canning's justification of our conduct in the negotiations, in reference to its fitness to accomplish the end which we had in view—the preservation of peace. He then proceeded to the consideration of the second question—how far ministers had judged correctly in resolving to abstain from

war; and he showed that peace was the policy prescribed to them, 1st, by the situation of Spain; 2ndly, by the situation of France; 3rdly, by the situation of Portugal; 4thly, by the situation of the Alliance; 5thly, by the peculiar situation of England; and lastly by the general state of the world.—The civil discussions among the Spaniards themselves—the danger of again lighting up revolutionary flames in France—the assurances, which we had received, that the independence of Portugal would be respected, and the conditions of our treaties with that ancient ally, which bound us to assist her only in case of an unprovoked attack upon her territory—the circumstance that France did not at present receive, and was not, according to the resolutions adopted at Verona, entitled to ask for, the assistance of the allies, in which respect a material change might be produced in the aspect of affairs, if the British government took a decided part in support of the Spaniards—the necessity of not exposing the resources of the country, now in a course of rapid re-production, to any sudden check, until we had turned the corner of our difficulties, and assured ourselves of means and strength, not only to begin the conflict, but to keep it up, if necessary, for an indefinite length of time, and on an adequate scale (and what an adequate scale might be, could be gathered from this, that, during the two years and a half prior to the conclusion of the campaign of 1814, the expense incurred in Spain and Portugal was about 33 millions sterling)—the essential neutral station of England in the political system of Europe, neutral not only as between contending

parties; but as between the conflicting principles of unlimited monarchy on the one hand, and unlimited democracy on the other:—these were the topics on which Mr. Canning insisted, to show that peace was the path pointed out to us by our own most important interests and those of the world.

“By remaining at peace ourselves,” said Mr. Canning, “we best secure Portugal; by remaining at peace, we take the best chance of circumscribing the range, and shortening the duration of the war, which we could not prevent from breaking out between France and Spain; by remaining at peace, we shall best enable ourselves to take an effectual and decisive part in any contest into which we may be hereafter forced against our will.

“So far, then, as the interests and honour of Great Britain are concerned, those interests and that honour have been scrupulously maintained. Great Britain has come out of the negotiations, claiming all the respect that is due to her; and, in a tone not to be mistaken, enforcing all her rights. It is true that her policy has not been violent or precipitate. She has not sprung forth armed, from the impulse of a sudden indignation; she has looked before and after; she has reflected on all the circumstances which beset, and on all the consequences which may follow, so awful a decision as war; and instead of descending into the arena as a party in a quarrel not her own, she has assumed the attitude and the attributes of justice, holding high the balance, and grasping, but not unsheathing, the sword.”

Mr. Canning concluded, by examining the paragraphs of the pro-

posed address, and showing that it was not only unwarranted by the facts of the case, but was inconsistent with itself and with the principles expressed by its supporters. “It is affirmed,” said he, “that we are now on the eve of war, the peace which we have maintained being insecure. If we are on the eve of war, will not this be the first time that a British House of Parliament has approached the throne, on such an occasion, without even a conditional pledge of support?—If war is a matter even of possible contemplation, it surely becomes this House either to concur in an address for the removal of the ministers who have needlessly incurred that danger; or, as the amendment moved by the hon. member for Yorkshire proposes, to tender to his majesty a cordial assurance, that this House will stand by his majesty in sustaining the dignity of his Crown, and the rights and interests of his people. I trust, therefore, Sir, that by rejecting this most incorrect and inadequate address—as unworthy of the House as it is of the occasion;—an address contradictory in some parts to itself; in more, to the established facts of the case; and in all, to the ascertained sense of the country—and by adopting, in its room, the amendment moved by the hon. member for Yorkshire, and seconded by the hon. member for London—the House will stamp the policy, which the king’s ministers have pursued—feebly perhaps—perhaps erroneously—but at all events from pure motives; in the sincerity of their hearts; and as conducive, in their judgment, to the tranquillity, welfare, and happiness, not of this country only, but of the world—with that highest of all sanctions, the deliberate ap-

probation of the House of Commons."

This speech was one of the happiest—in some respects, perhaps, the happiest—of Mr. Canning's efforts; and one of the most truly admirable (though not, in external gloss, the most splendid) specimens of modern deliberative oratory. When we look at the mass of materials with which he had to deal,—the high abstract principles which he had to express simply and clearly and to bring to bear upon the subject—the distinct yet natural arrangement of the whole—the mutual subordination of the parts—the skilful analysis of a complicated series of facts, of which the most important are placed in due relief before the mind, and the outline of the whole is clearly defined—the artful yet almost imperceptible combination of the statement of circumstances with such observations and maxims as throw upon them the colour most favourable to the impression which the speaker wishes to make—the intermixture of sportive raillery of his opponents, so lively as to make them join in the laugh at themselves, and yet too light and gay to hurt even the most sensitive—the abstinence (a rare prudence in Mr. Canning) from every thing that could offend or mortify his adversaries—the ability with which he enlists upon his side the principles and the love of freedom, and puts them boldly forth in the front of his battle—to say nothing of the continuous texture of the whole composition; of the perspicuity, simplicity, and flowing elegance of the language; and of the absence of all conspicuous, or glaring, or extrinsic ornament, of all ornament which does not seem necessarily interwoven with the frame

of the discourse itself as part of its very warp and woof: when we look at all these high excellencies of this speech, we shall not wonder at the persuasive effect which it produced, and the admiration which it excited in the House and in the country at large.

It was the allotted duty of Mr. Brougham to reply to Mr. Canning. For this he had reserved himself during three nights of debate; and the expectation of a splendid effort of rivalry on his part was in some degree heightened by the circumstance, that only a few nights had elapsed, since language had passed between him and Mr. Canning, so violent, as to have led almost to personal hostility.* Never, however, was expectation more completely disappointed. Far from reaching the excellence which Mr. Canning had exhibited, Mr. Brougham, on this occasion, fell infinitely below his own ordinary level. His speech had neither argument, nor happy illustration, nor vigour of expression, nor bitterness of sarcasm: it was a tissue of desultory observations, not leading to any definite conclusion, and ungraced with any felicity of style.

The Opposition saw, that the ministers would triumph by a majority unusually great. To prevent this, the plan, which they adopted, was, to avoid, if possible, a division, and themselves to substitute the amendment for the original address, upon the pretext, that it was most desirable, that nothing should happen, which might make the people of the continent believe that there was any difference of sentiment in the English House of Commons, with respect to the character of the French

* See Chap. IV of this volume.

outrage on Spain. Accordingly, Mr. Brougham concluded his speech by requesting Mr. M'Donald to sacrifice his own feelings to the general unanimity, and, for that purpose, to abstain from pressing the House to a division. In the moderate amendment proposed by the member for Yorkshire, he could see no great approbation of the conduct of government. It seemed to be of that neutral character, that gave triumph to neither side of that House. It went at most to a half approval of the conduct of ministers, and had more of war in it than the original address. He therefore implored the House not to let the question go to a vote, which might be misconstrued by persons abroad, who did not understand our forms, into an approbation of the conduct of France.

Mr. M'Donald then intimated his willingness to withdraw his motion. To the amendment he had no objection, and should vote for it, if it were allowed to stand as the address.

Mr. Secretary Canning said, that after having suffered for three long nights the constant, unceasing, unremitting, and unsparing lectures of the hon. gentlemen opposite, for a too ready concession to the views of foreign powers, it was incumbent upon him and his colleagues to show, that they had profited by the lesson that had been taught them, and that, though satisfied themselves with the amendment, they could not concur in the suggestion of withdrawing the original motion.

The gallery was then cleared for a division. The Opposition members rose in a body to leave the House. Some ministerial members below the bar, having, however, called for a division, the

doors were in consequence closed, and the Opposition members were compelled to remain in the House. The Speaker then put the question on Mr. M'Donald's original motion, which was negatived without a division. He next put the question on Mr. Stuart Wortley's amendment. The Ministerial members cried "Aye;" the Opposition members remained silent. The Speaker declared, that the question was carried in the affirmative. Some members on the ministerial side, anxious that a division should take place, called out that the "Noes" had the majority. The Speaker thereupon desired those, who intended to vote for the amendment, to go in to the lobby, and those who meant to vote against it, to remain in the House. The Opposition proceeded into the lobby, together with the ministerial voters; but a few members on both sides were shut in the House, in consequence of the lobby being too small to contain the united numbers. The numbers were—For the Amendment, 372; Against it, 20: Majority, 352.

The triumph of the ministers on this occasion deterred their adversaries from bringing the subject again into discussion. Some debate, indeed, arose on a motion, which earl Grev made on the 12th of May, for the production of papers relative to the capture of a Spanish vessel by a French ship of war in the West-Indies, long before the commencement of hostilities in Europe, and to the relations of France with the Provisional Regency of Spain on the one hand, and the allied monarchs on the other hand. But the discussion was languid, turning chiefly on collateral points (more especially on Mr. Canning's alleged abandon-

ment of the cause of Roman Catholic Emancipation, a topic, certainly, not very closely connected with the invasion of Spain); and, finally, the motion was negatived without a division.

There can be no doubt, but that the policy of ministers on this great question was generally approved by the country. Some, indeed, wished, that, at Verona, if we were unable to prevent the allied sovereigns from promulgating their formal denunciation of the constitutional system of Spain, we might at least have counteracted their proceeding by declaring our opinion with equal boldness on the other side. And so, it is true, we might have done, had the notes of Russia, Austria, and Prussia, proclaimed or recommended war. But they did no such thing; they merely condemned, though with improper officiousness and considerable harshness of language, a system which it was impossible to praise, and of which, considered with reference to its own intrinsic demerits, and the mode of its administration, it was not easy to speak with too much reprobation. It was therefore impossible that we could have met these diplomatic notes by an eulogy of that state of things, which they sought to bring into disrepute. What, then, would have been the nature of our counter-manifesto? Should its object have been to deprecate war, and to express our disapprobation of any armed aggression against Spain? To have done so would have been consistent with our principles, but would not have been suitable to the occasion; for there was no mention, no threat of war in the notes which were issued from Verona, and therefore for us to have sent forth to the

world a protest against war, which the allies had neither announced nor applauded, would have been altogether out of place, and would have been much more likely to accelerate than to avert the apprehended evil.

But the people, though they applauded the moderation and prudence of our ministers, were not the less zealous in their wishes for the success of the Spaniards; and the ardour of these wishes produced a corresponding alacrity of hope. The arrival of the French in Madrid did not excite much surprise; for it was not expected, that any strong resistance would be made to them, till the extended length of their line and the multiplication of their communications had weakened them upon particular points. The treachery of D'Abisbal excited serious fears, which acquired new strength, when the invaders were allowed to remain tranquil in Madrid, without any serious attempt to molest them in their rear, or to interrupt their intercourse with the frontier. When they began to move forward from Madrid, it was hoped that they would be enveloped on either side by Morillo and Ballasteros, and that their further progress, at least, would be arrested. These anticipations, likewise, proved empty dreams. The armies of Spain disappeared; her patriot chiefs deserted to the foe; and Cadiz was once more beleaguered by a French army. Even, under these circumstances, we were unwilling to despair of the cause of freedom. Cadiz, we knew, had all the physical means of resistance; and we could not suppose, that courage to make these means available, would be wanting. The siege, we flattered ourselves, would

be protracted, till the resources of the assailants would begin to be exhausted, and the approaching inclemency of the season would compel them to retreat. At last the sad reality dissipated delusion, and forced upon the public mind truer ideas of the state of Spain

than had hitherto been received: and men, at the same time that they deplored the fate and degradation of a people that might have been great, found, in the result of the war, additional reason for congratulating themselves on the prudence of their own rulers.

CHAP. III.

Bills of Indictment preferred against the Rioters in the Dublin Theatre—Failure of those Bills in consequence of the finding of the Grand Jury—Remarks of the Attorney General on this result—The Grand Jury vindicate their Conduct—Ex-officio Informations filed against the Rioters—Result of their Trial—Remarks on these Proceedings—Motions of Mr. Brownlow and Colonel Barry for the Production of Papers—Petition from the Grand Jury—Mr. Brownlow's Motion against Mr. Plunkett: Mr. Plunkett's Defence: course of the Debate—Petition of the Sheriff and Grand Jury of Dublin, calling for Inquiry into their Conduct—Sir F. Burdett's Motion for Inquiry carried—Course and Result of the Inquiry—State of Ireland: violence of Party Dissensions: extension of the system of outrageous attacks upon Persons and Property—Insurrection Act renewed—Provisions of the Bill authorizing Compositions for Tithes: course of the Bill through the two Houses—Mischiefs of the system of granting Leases to numerous Joint-Tenants: Remedy applied to that Evil—Debate on Mr. Brougham's Motion concerning the Administration of Justice in Ireland—Mr. Hume's Motion against the Church Establishment of Ireland—His Motion on the Vice-regal Office—Other Motions relative to Ireland—State of Ireland towards the end of the Year.

THE outrage against lord Wellesley, which had been committed in the Dublin theatre on the 14th of December in the preceding year, led to consequences, which excited no small agitation in the feelings of the different political parties in that quarter of the empire. Two of the rioters, Handwich and Graham, were, on the 23rd of December, committed to Newgate on warrants, which stated their offence to be riot and a conspiracy to riot. Shortly afterwards, however, warrants of detainer were lodged, charging them with a conspiracy to "kill and murder" the lord-lieutenant; and one James Forbes, a person in a respectable situation of life, was committed on the same

accusation. When the January sessions arrived, the attorney-general abandoned the charge of murder, and preferred to the grand jury two bills of indictment against ten persons for a riot, and a conspiracy to riot. After two days spent in examining witnesses, the bill, which charged a riot, was found only against two of the accused;* and as, in law, two per-

* This indictment contained two counts; the first was for a riot and assault on the person of the lord-lieutenant, which would have enabled the jury to have found the riot, and negatived the assault, or *vice versa*; and the second was for a riot generally. In the first count, it was charged, that the defendants, *cum multis aliis*, had committed the riot and assault; and in the se-

sons only cannot be guilty of a riot, this indictment in effect failed: the other was ignored. When these proceedings were announced to the Court on the 2nd of January, the attorney-general expressed his surprise at the result, in language not very temperate. "It is needless to observe to the Court," said he, "that, according to the technicalities of our law, a riot cannot be committed by only two persons; had even the bills been found for a riot only against all the parties, I would have still felt it to be my duty to adopt the line of conduct I am about to intimate in the presence of the Court. I will not arrogate to myself the office of arraigning the grand jury of the city of Dublin; they have discharged their functions in the presence of their God; under the sanction of a solemn oath, taken in the face of their country; to that God alone are they accountable. But I have also a duty to perform—I will, without anticipating the guilt of any individual, state solemnly, in the presence of this crowded audience, that in all my readings—in all my experience—in all the annals of this unfortunate country—I never did find a case so fully demonstrated, of the foulest conspiracy to riot, of so much atrocity as scarcely to be heightened by the aggravation, that its object was, to insult and outrage the representative of the king's majesty in the public theatre. I will exercise the

cond it was charged, that they had committed it with each other, leaving out the *cum multis aliis*. It was on this second count that the grand jury found the defendants guilty; but as they had not found them guilty *cum multis aliis*, and as two persons could not in law be guilty of a riot, the finding was not one on which any proceedings could take place.

prerogative, that the law and constitution have given to my office; I will discharge that duty honestly, and with the blessing of God, fearlessly, unintimidated by that gang which have formed themselves into a faction to beard the king's government, to overturn the laws of the country, and even to insult and outrage the very person of the king's representative in Ireland, pursuing the course of outrage and violence from the hostility that they had taken up against that venerated nobleman, for his zeal and firmness in carrying into effect the king's intentions towards Ireland, of allaying the dissensions, and healing the wounds that have afflicted this unhappy country. The course of conduct that my duty directs me to pursue, will be, in the execution of the prerogative annexed to my office, to file *ex officio* informations, and speedily to bring before the country all the parties charged in these indictments." In the mean time, till the informations could be filed, he held the accused to bail.

On the following day, the judge likewise expressed his surprise at the fate of the indictments: and on the 6th of January, the grand jury, by their foreman, Sir George Whiteford, presented to the Court a strong remonstrance against the insinuations which had been thrown out respecting their conduct. This remonstrance concluded with the following words: "It must be recollected, that to us exclusively is the evidence known on which our judgment was founded, and we therefore trust, that this high Court will receive the declaration which we now solemnly and unanimously make, that our decision was the result of a laborious scrutiny of the evi-

dence, of a conscientious consideration of its weight, and of a sincere anxiety to adhere to the direction of the learned judge, who so fully and clearly detailed to us the nature of our duties, and the principles by which we were bound to be regulated in discharging them."

In the ensuing Hilary term, informations *ex officio* were filed, and the rioters were put upon their trial in the beginning of February. The proceedings lasted several days,* but were ultimately ineffectual: for the jury, after being shut up from the afternoon of Friday to the noon of Saturday, and having been several times summoned into court by the judge, were unable to agree, and were discharged without having returned any verdict. The attorney-general, being thus once more baffled, intimated, that he would not be deterred by what had happened from bringing the accused again to trial, if he should deem such a course advisable. Subsequently, however, it was not thought prudent to carry the contest with the Orange party any further; and a *nolle prosequi* was entered upon the informations.

From the evidence produced upon the trial, it appeared clearly that the riot at the theatre had been the effect of a preconcerted scheme, the object of which was, to express publicly the dissatisfaction of a certain party with the government of lord Wellesley. On the other hand, it is equally manifest, that there was not the slightest ground of rational probability for the charge of a conspiracy to murder the lord-lieutenant. A bottle, indeed, was thrown upon the stage

from the gallery, but there was no reason for believing that it was aimed at lord Wellesley; and though a fragment of a wooden rattle hit the front of his box, the missile, even supposing its direction to have been the result of design and not of accident, was of too contemptible a kind to permit the use of it to be ascribed to a deadly purpose. In bringing forward the accusation of a plot to take away the life of the representative of majesty, the attorney-general exceeded the bounds both of justice and of prudence: and the undue violence, with which he commenced his proceedings, excited a spirit of resistance, which baffled him in his attempts to convict the accused even of that degree and species of guilt, which he brought home to them by satisfactory proof.

A public man, who deserves some blame, generally meets with more than he deserves. Such was the fortune of Mr. Plunkett; who, on this occasion, was assailed with loud clamour, for having filed *ex officio* informations, after the grand jury had in substance ignored the bills of indictment. The legality of the proceeding was unquestionable: what then was there to blame in it? Was it harsh to the accused? No: he had not exerted against them the full powers of his office, and he had recourse to it, only when the more ordinary means failed. Was it unjust? Justice and injustice have a reference to the community at large; and surely it was no more than he owed to society, as a principal guardian of the laws, to bring to trial, before the eyes of the whole world, individuals against whom there existed the strongest proof of very grave criminality. In the privacy of a grand jury, that proof had

* For the details of this trial see p. 21* of this volume.

not been reckoned sufficient; but that circumstance afforded no reason against a public investigation, especially in an affair which was notoriously much mingled up with a spirit of faction.

On the 24th of February, Mr. Brownlow, in the House of Commons, moved for copies of the committals of the persons engaged in the alleged riot and conspiracy on the 14th of last December, in the Dublin theatre; copies of the bills of indictment, alleging a riot and conspiracy to riot, which were preferred to the grand jury in the city of Dublin, on the 1st of January, and the finding of the jury thereon; and a copy of the *ex officio* informations, on the same subject, filed in the court of King's-bench by his majesty's attorney-general for Ireland. These papers were granted without opposition, though not without discussion. They related exclusively to that head of charge against the legal administration of Ireland, which consisted in the filing *ex officio* informations, after the indictments had been ignored by the grand jury. On this point, Mr. Plunkett felt himself strong, and therefore did not hesitate to grant all that his opponents required. On the other charge—that of having, without sufficient grounds, committed three persons to prison on an accusation of a conspiracy to kill the lord-lieutenant—he was not equally compliant. Colonel Barry on the 24th of March moved for copies of the informations, on which the committal of Forbes, Graham, and Handwich, for the capital crime proceeded. Mr. Plunkett, in resisting the motion, stated, that, when he was originally consulted, his first impression was, that the transaction involved nothing more

than a misdemeanour, and should be proceeded against as such. The investigation continued seven days, during which the solicitor-general and himself attended most assiduously; and in the course of it, it appeared that Forbes went, after he was released, to a tavern in Essex-street, and took part in a conversation about the throwing of the bottle, and the riot: he spoke of himself as so involved in it, that his life might be placed in jeopardy; he said he knew he might be transported to Botany Bay, but he had no objection to suffer that punishment, provided he could have the satisfaction of establishing an Orange-lodge there; that he had only one life, and was ready to sacrifice it for the cause. He complained that the missiles were bad, and expressed his regret that they had missed, and his intention of making another attempt, which, he hoped, would be more successful. All this was proved by the testimony of Mr. Farrell, an attorney, and Mr. Troy, a silk mercer. When he (Mr. Plunkett) heard this evidence, the whole transaction assumed a new character, and it appeared to him, that a deliberate plan to attack the lord-lieutenant had existed, which might have been attended with the most fatal consequences; and under that impression he gave his conscientious advice to the magistrates to commit. Subsequently he had changed his opinion: and he had done so, because, on further examination, it had appeared to him, that the object of the conspiracy was, not to murder the lord-lieutenant, but to compel him to change his measures. The danger to his excellency's life was consequential, and not direct: and, therefore, the crime did not, in the eye of the

law, amount to a conspiracy to murder, though, in truth, it was of a nature not less heinous.

With respect to the depositions of which the production was now called for, he contended that to grant them would be a violation of the constitution, and altogether without precedent. It would be unjust, also, to the magistrates who acted in the case, and who were liable to be prosecuted by the accused parties for having committed them, to put into the hands of the latter beforehand the grounds upon which the magistrates had proceeded. He had never heard of an instance where such a step had been taken. It would be a dangerous precedent to adopt at any time; for no man would come forward and give information against others, if the seal of secrecy, under which he gave it, were to be broken, before the whole case underwent the investigation in a court of justice. Mr. Peel, sir J. Newport, and Mr. Spring Rice, resisted the motion on grounds similar to those stated by Mr. Plunkett: Dr. Lushington, Lord A. Hamilton, Mr. Grattan, and Mr. Lambton supported it. At the close of the debate, it was rejected by a majority of 48 to 32.

The next step taken in this affair was the presenting, by Mr. Wetherell, on the 11th of April, of a petition from the grand jury of Dublin, complaining of the imputations which had been thrown upon them by the attorney-general for Ireland. This drew from that officer a justification of his measures, and a declaration, that it was the conduct of the grand jury, along with some facts respecting them which had come to his knowledge, that had induced him to file the informations.

On the 15th of April, Mr. Brownlow moved the following resolution: "That it appears to this House that the conduct of his majesty's attorney-general for Ireland, with respect to the persons charged with a riot in the Dublin theatre, on the 14th of December last, particularly in bringing them to trial upon informations filed *ex-officio* after bills of indictment against them for the same offence had been thrown out by a grand jury, was unwise;—that it was contrary to the practice, and not congenial to the spirit of the British constitution;—and that it ought not to be drawn into a precedent hereafter." This proposition he prefaced by a speech, in which he commented on the general nature of informations *ex-officio*—the unprecedented use that had been made of them here—and the particular circumstances of the proceedings in question. The only defence set up was, he observed, that the course was legal. Legal or illegal, would it have been taken in England? He would suppose the secretary for foreign affairs to announce his intention of visiting the theatre; and a set of Englishmen to fancy that the cause of Spain had not been sufficiently vindicated by this country in the late negotiations, and that blame was due to the right honourable secretary on that account. Suppose such a set of men to meet at some coffee-house adjoining Covent-garden theatre, and to plan an attack upon Mr. Canning with a view to drive him, if possible, from the theatre and from the councils of the king; suppose a bill, on such account, to be presented to a grand jury and ignored; would the English attorney-general venture afterwards to proceed *ex-officio*?

Would he venture, even if commanded to do so? He (Mr. Brownlow) believed that the attorney-general dared do no such thing—that the learned gentleman knew that it would be as much as his situation, perhaps as much as his life, was worth to do so. Then why talk of the thing's being legal? Was the nature of the proceeding changed by occurring on one side of the water instead of the other? Was it meant to contend, that the same thing would be constitutional in Ireland, and yet absolutely intolerable in England? The question (Mr. Brownlow concluded) was not, how far, upon strict law, the proceeding in question could be borne out; the question was—had it been a constitutional proceeding, an expedient proceeding, a proceeding which, under similar circumstances, would have been adopted in this country?

Mr. Plunkett showed, by legal precedents, that *ex-officio* informations might be, and had been, filed, after a grand jury had rejected indictments for the same matters: and he contended, that, if the crown were to be excluded from this course, the effect would be, that the attorney-general would be driven to have recourse to the prerogative of his office in every case, instead of proceeding in the first instance as a common prosecutor: for what attorney-general would prefer an indictment, if the finding of a grand jury—however erroneous—however clearly emanating from mistake or prejudice—were to deprive him of the means of putting the accused upon their trial. His conduct in this particular case he justified by impeaching the finding of the Dublin grand jury, the conduct which they had pursued, the motives by which

they had been actuated, and the mode in which the panel had been framed. Had he acquiesced in their finding, the ends of public justice, he argued, would have been defeated. Thirteen witnesses had been examined before that grand jury, exclusively of other witnesses produced on the subsequent trial: and any impartial person, looking at the evidence, would at once declare, that there was no part of the bill of indictment, whether it referred to the conspiracy, to the riot, or to the assault, that was not completely proved. There was no sound mind that would not admit, that the men, who could have brought themselves to such a conclusion as the Dublin grand jury had, could not have arrived at it by legitimate means. It had been distinctly proved, that a plan had been formed to commit a riot; that, in furtherance of that plan, a number of persons assembled at the theatre; that a missile had been thrown by Graham; that Forbes had gone the day before to the theatre to buy tickets for the purpose of packing an audience—that Forbes was taken with the whistle in his hand with which he incited the rioters; that, at a subsequent meeting at a tavern, he had expressed his concern at the failure of their purpose, and his hopes of success on a future occasion. Yet, with such evidence, the grand jury ignored the bill: and their reason for doing so could not be mistaken. It was his (Mr. Plunkett's) conviction, that they, the grand jury, conceived the plan of these rioters to be a very right and proper plan. They conceived, that, when the lord lieutenant, in compliance with the expressed desires of his sovereign, had ex-

erted himself to conciliate the various classes of the Irish people, and to put an end to the heart-burnings which had so long embittered that community, it was extremely proper and lawful, that certain persons should seize the first opportunity that presented itself, for marking their powerful disapprobation of such an acquiescence in the expressed commands of his majesty. To that extent they felt it highly proper the opposition should proceed; though they were not prepared to go the length of thinking, that it was right to fling bottles and rattles at his majesty's representative. That, in his conscience, he believed to be the decided conviction of the grand jury—a conviction, he also believed, which the greater portion of the Dublin corporation did not consider erroneous. He (Mr. P.) had grounds for impeaching not only the decision of the grand jury, but also the manner in which it had been impanelled. He had reason to know, that the sheriff was related to two of the accused, in the close affinity of first cousin. This, had he known it at the time, would have been ground of challenge to the array. He had also in evidence upon oath, that the sheriff declared, that the traversers need not be afraid of the result of the trial, as he had a list of Orangemen for the jury in his pocket. Another circumstance would shew the spirit in which the grand jury was impanelled. There was a person, named Poole, who was desirous of serving on the grand jury. The sheriff promised him, previously to the riot, that he should be on the jury; but, after the riot, he found that his name was not on the list, and when the sheriff was applied to on the sub-

ject, he said, "Do you suppose I would allow a man to be on the grand jury, who said he would abide by the king's letter?" He (Mr. P.) had the affidavit of a person who assisted in the office of the sheriff, to the effect, that, when the jury was about to be struck according to the usual course of the office, the sheriff ordered the panel to be brought to him, and said he would prepare it himself! and the deponent swore, that he believed this course was taken, to enable the sheriff to deal with the panel as he pleased. There was another objection to the mode of impanelling the jury. When he (Mr. P.) learned that a whole day had passed without finding the bills, he procured the panels of the five preceding years. He found on inspection, that there were from about 70 to 100 on each panel, and that, on calling the panel, it was with difficulty the requisite number of the jury was made up after calling the whole list. In the present instance, the number was only about 50, of which there were about 26 names that he did not find on any other panel; and the whole number attended, with the exception of two or three; they answered in regular order, and before the 26th name was called, the jury was completed. He would put it to the candour of the House, if he would have been justified in going back with the case to such a grand jury. He concluded by stating, that his own inclination would have been, to meet the resolution by a direct negative, but that, in order to prevent either party in Ireland from assuming an air of triumph on this occasion, he would only move, "That the other orders of the day be now read."

Colonel Barry was the only member who supported the resolution strenuously: though several others expressed a marked disapprobation of Mr. Plunkett's conduct. Among these was Mr. Brougham, who argued, that the precedents which the attorney-general for Ireland had quoted, were altogether inapplicable: for they were all cases of informations, granted by the court of King's-bench—not of informations filed *ex officio* by the attorney-general; and consequently were guarded by the many preventives of abuse, which the law has annexed to the former mode of proceeding.* The result of the debate was, that Mr. Brownlow's motion was, with the leave of the

* On a subsequent day (the 2nd of May), Mr. Plunkett mentioned a precedent in point, which had been recently communicated to him by a Mr. Foley an attorney in Ireland. The following were the particulars of the case: In October, 1811, a bill of indictment was preferred against a person of the name of Leach, for writing a letter to sir Edward Littlehales, soliciting the appointment of the place of barrack-master. The bill contained three counts: the first was for sending a letter, proposing to give a bribe: the second, for offering money by way of bribe; and the third, for offering securities for money by way of bribe. That bill was ignored by the grand jury. The court of King's-bench, impressed with the disproportion between the evidence and the finding, ordered a second bill to be preferred. That second bill was also ignored; and in the November following, an *ex officio* information was filed by Mr. Saurin, Mr. Plunkett's predecessor in office. Mr. P. produced attested copies of the indictment, and of the *ex officio* information that followed the ignoring.

The result of the case was, that judgment was signed against the defendant for want of a plea; but in consequence of his expressing great contrition, and having lost a valuable appointment, no further punishment was inflicted on him.

House, withdrawn. Sir Francis Burdett, at the same time, gave notice, that he would, on the 29th of the month, bring the conduct of the sheriff of Dublin before the House.

On the day fixed for this motion, Mr. Ellis, member for Dublin, presented a petition from one of the high sheriffs of Dublin (Mr. Thorpe), and from the foremen and jurors of the Christmas grand jury of that city, praying for an inquiry (in such manner as the House should direct) into the charges preferred against them by their attorney-general. Mr. Ellis took the opportunity of announcing, that Mr. Thorpe and six of the grand jurors, deputed by their fellows, were then in attendance. The annunciation was received with acclamations; and Mr. Brougham complimented the sheriff and jurors upon the promptitude with which they had solicited inquiry. Immediately afterwards, sir Francis Burdett moved, "that the statement made by the attorney-general of Ireland, in his place, on the 15th day of April, respecting the proceedings on the trials of Forbes, Graham, and Handwich, renders it incumbent on this House to institute the strictest examination into the conduct of the sheriff of the city of Dublin on that occasion."—Mr. Plunkett, without directly opposing the motion, addressed the House in a speech which showed that he was, at bottom, not a little averse to the course proposed. He avowed, that he was willing and even thought it necessary to institute a criminal prosecution against the sheriff, in case the House did not, by a parliamentary inquiry, put it out of his power to do so; and he intimated very plainly, that proceedings in a court of justice were

better adapted to the circumstances of the case, than the imperfect means of investigation possessed by the House of Commons. Mr. Canting, Mr. Peel, and the other ministers expressed the same opinions more unequivocally and put a direct negative upon the motion. Mr. Brownlow and colonel Barry called loudly for inquiry, and denied *is toto* the truth of the allegations which the attorney-general had made against the sheriff and grand jury. The learned gentleman, said Mr. Brownlow, had asserted in his place, that the jury were packed. Now, nineteen out of the twenty-three grand jurors, who ignored the bills of indictment, usually sat as grand jurors; their names appeared in every panel for ten years back; and during that time they had frequently received the thanks of the judges for their upright and impartial conduct. It had been stated by the attorney-general, that one of the traversers, was the first cousin of the sheriff. In truth, however, there was not one of them more connected with the sheriff, than with the learned gentleman himself. The attorney-general had informed the House, that a Mr. Poole applied to the sheriff to be put on the jury; that the sheriff had consented, but that, subsequently, Mr. Poole having expressed his inclination to carry into effect the conciliatory views of the king's letter, his name was not included in the panel. The high sheriff had informed him (Mr. B.), that, three weeks before the jury was impanelled, Mr. Poole begged to be put on the grand jury. The sheriff said, he would submit his name to his colleague. In the mean time, a letter was addressed to the sheriffs by the crown solicitors, by the or-

dets of the attorney-general, requesting that both the sheriffs should join in making out the panel. Mr. Poole renewed his application to be put on the grand jury, when the sheriffs informed him, that they felt the necessity of being cautious, and that he had disqualified himself by the applications he had made. Mr. Sheriff Thorpe asked, what reason he had for pressing the application? "I'll tell you," said Mr. Poole; "the case of a Mr. O'Meara is to come before the grand jury. I am acquainted with facts, connected with that case, which are not known to the rest of the jury. I wish to be on the grand jury, that justice may be done to Mr. O'Meara. Put me on the jury, and I'll give you my word not to divide on the question of the play-house riots." The sheriff replied, that, after such a declaration nothing would induce him to put Mr. Poole on the jury. With respect to the conduct of the grand jury, there was no notice of motion respecting them, but he was authorized to say, that every thing the attorney-general had said with respect to them was incorrect and unfounded. The attorney-general had been misled and misinformed by some calumniator. The attorney-general had said, that a witness of the name of Moran had been produced before the grand jury, and that but two questions had been put to him when he was shown to the door; the jury authorized him (Mr. B.) to state, that that witness was asked a greater number of questions in the grand-jury room, than he was asked on the trial.

Mr. Denman, Lord Milton, Mr. Spring Rice, sir J. Newport, Mr. Tierney, and Mr. Brougham, spoke in favour of parliamentary investi-

gation. Upon a division, sir Francis Burdett's motion was carried by a majority of 34; 219 members voting for it, and 185 against it.

On the 2nd of May the House resolved itself into a committee for the purpose of inquiring into the charges preferred by Mr. Plunkett against Mr. Thorpe and the jury; and prosecuted the investigation on the 5th 6th and 7th of that month. The three points attempted to be established against Mr. Thorpe, and from which it was intended to be inferred, that he had packed the jury, were, that the panel contained an unprecedented number of the members of the corporation; that the grand jurors answered with a suspicious punctuality to their names; and, that the panel was shorter than upon any former occasion.

One Mr. Terence O'Reilly, an attorney, stated, that, on the day on which the indictments were ignored, Mr. Sheriff Thorpe, in a room adjacent to the court, and about three quarters of an hour before the fate of the bills was announced, addressed a gentleman, named Ward, on the subject of these bills, predicting that they would be ignored, and exulting in the management by which he had insured such a result. Mr. O'Reilly was confirmed in some part of his statement by a Mr. M'Namara, but both were contradicted positively by Mr. Ward. One John M'Connell stated, that, at a card party at a Mr. Sibthorpe's about three days after the riot in the Dublin theatre, he heard Mr. Thorpe say to Graham, one of the persons who were afterwards (but not then) accused, that he had the Orange panel in his pocket.—Mr. Sheriff Cooper proved, that the

panel, which, according to M'Connell's statement, was in Mr. Thorpe's pocket on the 17th of December, was not prepared for several days after. He denied that the grand jurors were persons more remarkable for party zeal than other gentlemen in Dublin; and affirmed, that, if the January grand jury differed in any thing from former commission grand juries, it was in its extraordinary respectability.—Mr. Plunkett produced a list of candidates to represent the merchant's guild, recommended "as good men in bad times," at the head of which was a vignette of king William, with his horse trampling upon a Knave of Clubs, intended, it should seem, as the symbol of the Dublin lord mayor. Mr. Cooper admitted, that seven of the fifty returned on the grand jury panel were to be found in this list, but denied that they were violent party-men. In conclusion he said, that, though he considered his colleague Mr. Thorpe a high party man, he should from his knowledge of him consider him as a juror altogether above exception.—William Poole stated, that, being anxious to sit upon the January commission grand jury, in order to guard the interests of a certain Mr. T. O'Meara, who was indicted for perjury, he applied, in November, to Mr. Thorpe, and obtained from him a promise that he should be returned in the panel. Finding himself excluded from the panel, he remonstrated with Mr. Thorpe, who apologized by saying, that he had a hard card to play, and that it was impossible to please all parties.

Christopher Moran complained, that the grand jury having heard from him all the particulars of the riot with which he was acquainted,

refused to listen to a story he wished to tell, about the arrest of one of the Handwiches.

Here the case against Mr. Thorpe closed.—Mr. N. Murray Mansfield was the first witness called for the defence. He stated that he was clerk in the sub-sheriff's office, and described the mode in which the panel was struck, as being perfectly fair. Mr. Thorpe proceeded expressly upon the principle of excluding from it all men of violent politics.—Sir George Whiteford, foreman of the grand jury, stated, that he was solicited by sheriff Thorpe to preside over the January grand jury several weeks before the riot; that, having heard M'Connell's statement, that Mr. Thorpe boasted of having an Orange panel, he refused to act upon the Jury, until Mr. Thorpe assured him, upon his honour, of the falsehood of M'Connell's story; that he never saw a body of men more conscientiously anxious to discharge their duty than the grand jury in question. Sir George added, that he was one of those who wished the dressing of the statue of king William to die a natural death, but he confessed that he thought the measures taken to suppress the ceremony were calculated to produce irritation. Being cross-examined by Mr. Plunkett, he said, that, in his opinion, it was not deserving of punishment, to express dissatisfaction at the forcible means by which the dressing was discontinued. Mr. Twycross, one of the grand jury, described himself as an Englishman, and a friend to Catholic emancipation. He affirmed, that the grand jury conducted their inquiry with the utmost patience and impartiality, and that they were unanimous in their decision. Mr.

J. H. Moore, another juror, said, that he had acted as secretary to the grand jury, and taken notes of the examinations. His testimony perfectly corresponded with that of the two preceding witnesses; but, being questioned as to some particular facts, he hesitated to make disclosures inconsistent with his oath as a grand juror: and a long discussion followed on the question, whether the grand jury could be wholly absolved from their obligation of secrecy. The point was not decided; and the examination continued through the 8th, 9th, and 14th of May, upon an understanding, that the members should, as far as possible, abstain from putting to any of the Jurors, questions as to facts which occurred in the grand-jury room. One Mr. Davis said, that he was not an Orangeman, and that he had heard Mr. sheriff Thorpe refuse to put Mr. Addison Hone on his grand-jury panel, on the ground of the violence of that gentleman's politics.

On the 23rd of May, the investigation of the conduct of the high sheriff of Dublin was resumed. After several witnesses had been examined, sir Abraham B. King was called. He stated, that he had never had any panel put into his hands for revision, nor, to his knowledge, was any panel put into the hands of his clerk. He had been, he said, an Orangeman since 1797; the oath of that society was in print; a prayer was read on opening the lodge, but no portion of scripture was read; the signs and words which were communicated after initiation were, he said, taken from the Old Testament. Being pressed to explain from what passage these signs and words were taken, the witness pleaded his oath

of secrecy. After the House had determined that he should be compelled to answer, the inquiry was urged in every possible shape: he was told by Mr. Brougham that his oath was an absurdity, and of no force, and admonished by the chairman that his refusal might drive the committee to a painful course. But neither casuistry nor menaces, nor persuasion availed: sir A. B. King firmly persisted in respecting the pretended sanction of his oath; nor would he communicate more than that the pass-words were to be found in the Old Testament. The attorney-general (sir Robert Gifford) thought that, before compelling the disclosure of these words by measures of severity, it might be worth inquiring whether the answer was likely to bear upon the subject before the committee. Mr. Canning too recommended not to press this line of examination.—Sir John Newport, Mr. Grattan, Mr. Scarlett, and Mr. J. Smith urged the necessity of committing the witness; but Mr. Brougham and Mr. Plunkett thought it better to give him another opportunity of answering. Being recalled, sir Abraham King again explained, that the only words, which he hesitated to divulge, were the signs and symbols by which Orangemen are enabled to distinguish each other; and these had no reference whatever to any maxim or rule of conduct. Mr. Peel declared, that, after this answer, he could not press the inquiry. Mr. Brougham complained, that the witness had triumphed over the committee.—Mr. Calcraft, on the other hand, thought the last answer perfectly satisfactory.

On the 26th of May, the in-

quiry proceeded; and again an effort was made to extort from sir A. B. King, the sign and pass-words of the Orangemen.—Mr. Brougham said, it had been proved that sheriff Thorpe had boasted of having an Orange panel in his pocket, and that some of the grand jurors were in fact Orangemen; and therefore, the committee was bound to probe the Orange system to the bottom. Mr. Peel, Mr. Dawson, Mr. Goulburn, and colonel Barry urged, that the moral taint for the system might be thoroughly known without extorting its formal and insignificant symbols.—Sir A. B. King assured the House, that the so earnestly-pursued symbols had no hostile allusion whatever to any class of his majesty's subjects; and that they hinted nothing of extermination. Mr. Brougham, on pressing the proposition of a specific examination to a division, was defeated by a majority of 117 to 87. Mr. Hume then proposed to ask the witness the purport of the passages from which the Orange symbols were taken. On a division, the motion was rejected by a majority of 131 to 77. Mr. Plunkett voted both times in opposition to ministers.

The inquiry terminated on the following day, by the examination of Mr. Plunkett himself; the members who advocated the cause of the sheriff and jury, conceiving that they had already sufficiently made out their case. The effect of it certainly was, to disprove the inculpatory allegations of the attorney-general: but it had another more important use; for it showed how familiar corruption, in the administration of justice, was to the minds of the Irish people.

The tendency of these proceed-

ings, relative to the riot in the theatre, to excite strong party feeling in the capital could not be doubted; and when a spirit of faction is called into activity in a metropolis, the remoter districts seldom escape the contagion. The violence of religious animosity disturbed the tranquillity even of those districts where property was in general secure. For instance, the counties of Antrim and Armagh exhibited frequent scenes of violence, though few or none of plunder. Wherever the Ribandmen and Orangemen met, or came within reach of reciprocal insult or provocation, riot seldom failed to ensue. At Carrickfergus, a prosecution for riot took place before Baron M'Clelland, where the parties indicted were Catholics; but, after the examination of several witnesses, whose evidence just went far enough to prove the impossibility of discovering which faction was the aggressor, the judge stopped the further progress of the trial, and dismissed both Orangemen and Ribandists, with a just reproof of that unnatural spirit by which the banners of two communities, calling themselves Christians, were made the instruments of devastation and civil bloodshed.

On the 12th of June, the Orangemen, and Ribandmen, met at the fair of Maghera, in the county of Derry. A quarrel ensued; when the Orangemen, being driven to the barracks, there provided themselves with arms and ammunition, and fired repeated volleys upon the country people, of whom some were killed, and from 16 to 30 were wounded. The Orange triumph was afterwards celebrated by an attack on the houses and windows of Roman Catholics. The following circum-

stance is an illustration of the mode in which party spirit was constantly interfering with the administration of justice. At the Lent assizes of Mullingar, a prisoner was put on his trial for murder, and the clearest evidence of his guilt was produced. The accused was a Catholic, and a single Catholic was on the jury. Eleven of the jurors were agreed to convict the accused of murder, but the twelfth stood out. No argument, no appeal to justice, or to conscience, could influence him. The jury, after being locked up until the judge left the town, were dismissed without a verdict, and the murderer escaped.

The disturbances in the southern counties and the adjacent districts, had never been entirely suspended; but in the beginning of the year, the outrages were less numerous than they had previously been, and hopes were entertained of a gradual return to tranquillity and peace. This expectation was quickly disappointed: for, during the month of March, the system of outrage was pursued in parts of the province of Munster with increased activity and vigour, and reached other parts of the country which had been nearly exempt from disturbance. During the first week in March, five malicious conflagrations and twelve outrages of different descriptions took place within the county of Cork; and for some subsequent weeks, scarcely a night elapsed, in which, within those districts, some house or property was not destroyed by fire, or in which attempts were not made by the insurgents to enforce the penalties previously denounced against all those who resist the authority of these desperate offenders. Notwithstanding the

most unremitting exertions on the part of the military and the police to intercept the perpetrators of such crimes, few persons were apprehended. Conflagrations were so easily effected, even by one skilful offender, and the system of terror had been so firmly established in the minds of the inhabitants, that the detection of the crime became a matter of extreme difficulty, in consequence of the extent of the evil.

Lord Combermere, early in the month of March, visited the principal military stations in Munster, and also conferred with the magistrates in the vicinity of Donegal, and in the disturbed districts in that part of the county of Cork. At his lordship's suggestion, and at the desire of the magistrates, a large additional force of police was stationed in that neighbourhood, and the military force was distributed in the manner best calculated to aid the restoration of order.

In Limerick, which in January had been restored to tranquillity, instances of similar crimes appeared during the spring; and parts of the county of Clare were so much agitated as to require the application of the Insurrection act to two of the baronies which adjoined to the county of Limerick. An increased spirit of outrage was at the same time manifested in parts of the county of Westmeath, and Queen's County. In April, the Irish newspapers were every day filled with the particulars of many ferocious outrages in Cork, Limerick, Clare, Galway, Meath, and Dublin. The two grand juries of the county and city of Cork addressed the lord-lieutenant upon the state of the country. They affirmed in these addresses, that the spirit

of insurrection was rapidly extending—that there had come before the county grand jury, nearly a hundred petitions for compensation for damage sustained by fire, destruction of cattle by stabbing and houghing, breaking machinery, &c.; and that, after a patient inquiry, there were not more than four or five cases which did not appear fit subjects for relief from the county—that many had been turned naked out of their dwellings, to behold them, a few moments afterwards, in ashes—that others had been intimidated into an abandonment of their lands—that all who had given evidence against insurgents, had done so at the risk of their lives, and some, who had only made statements respecting property destroyed, had been speedily punished by the destruction of their own houses. In the county of Cork, two soldiers and a policeman were attacked on the road while returning home from duty. One of the soldiers died next day from the brutal treatment he suffered, and the policeman had his ears and one of his cheeks cut off! The spirit of depredation approached even within two miles of Dublin. A Mr. Loughnan, of Prospect-place, was forced to deliver up a large quantity of arms, which the ruffians demanded from him as “a loan.” Several cabins were attacked and levelled with the ground in the same county, and the inhabitants barbarously ill-treated. In June, it was found necessary to place the neighbouring district of Kildare under the Insurrection act.

Under these circumstances, lord Wellesley called for, and the ministers here proposed, the continuance of the Insurrection act. That

measure was carried without much discussion. The opponents of it argued, not so much against the specific provisions of that law, as in favour of a general inquiry into the state of Ireland, with a view to find and apply a permanent remedy to her evils.

The collection of tithes had always been, either in reality or in pretext, one of the principal causes of disturbance in Ireland. To alleviate this source of mischief, a bill was introduced by Mr. Goulburn, the object of which was, to authorise compositions for tithes. It was much discussed in its progress through parliament. In the form in which it received the royal assent,* the following were the most important of its provisions :

In order to bring the act into operation in any parish, it was necessary that an application should be made to the lord-lieutenant, either by the incumbent, or some five owners or occupiers of land in the parish to the annual value of 20*l.* ; upon which application the lord-lieutenant was to have it in his power to direct the assembly of a special vestry, the business of which was, in the first instance, to discuss with the incumbent the propriety of compounding, for 21 years, for the tithes of the whole parish. If the lord-lieutenant directed the vestry to assemble, it was the duty of the incumbent, or of the five owners or occupiers of land (according as the application for the vestry had been made by the one or by the other), to require the high constable, or other collector of grand-jury rates or county cess within the parish, to deliver lists of

vestrymen ; that is, of persons who in the preceding year were assessed to an amount exceeding 20 shillings, in respect of lands within the parish not tithe free.

If the incumbent and the vestry did not agree in the propriety of making a composition, no further proceeding could then be had upon the subject ; and it only remained for the incumbent to certify such result to the office of the chief secretary. But if the vestry and incumbent agreed that a composition was desirable, it was necessary that a memorandum of that agreement should be made at the time, and signed by both parties ; upon which the incumbent on his own behalf, and the vestry on behalf of the parish, were each to proceed to nominate a commissioner (qualified as required in the 14th section), to fix the amount of the annual composition. Then the incumbent was required, within seven days after the appointment by him of a commissioner, to give notice to the bishop of the diocese, to the churchwardens of the parish, and to the office of the chief secretary, of the name, and place of abode, of the person so appointed by him ; and, in case any other persons besides himself were entitled to any portion of tithe within the parish, it was necessary that a similar notice should also be transmitted by him to each of those persons.*

The duty of the commissioners, when appointed, was, to ascertain and fix the amount of annual compensation, in the manner and according to the rules laid down in the 16th section.

This might, under particular circumstances, be an operation of some difficulty and delay ; a pro-

* 4 Geo. IV. c. 99.

* Section 13.

vision for sanctioning a previous agreement between the incumbent and his parishioners was there-fore introduced in the 27th section; which enacted, that, if the incumbent should have been able to make an agreement with the vestry, for the payment of a specific sum, and such agreement should have been sanctioned by the bishop of the diocese, and the patron of the living, the duty of the commissioners, should, in that case, be limited to an approval of the agreement so made, provided they were satisfied that the sum agreed on was not less than the average annual receipt on account of the tithes during seven years preceding 1821.

The commissioners, within four calendar months from the 1st of November next, after they had signed their certificate of the amount of the composition, were to assess or apportion that amount upon all lands within the parish, not being tithe-free, according to their true annual value. If no such apportionment was made, the incumbent might require from the collector of the parish-cess a copy of the last apportionment, according to which the composition was then to be levied.*

If the commissioners could not agree in fixing the amount of the composition, they were to appoint an umpire.

Such were the provisions of the law that was passed: but the bill, as introduced by Mr. Goulburn, was very different both in its details and in its general principle. In particular, it originally contained a clause, by which the incumbent might be compelled to accept of a composition even against his

will. This proposed enactment was so keenly opposed, at different stages of the measure, as a violation of the rights of church property, that it was at length abandoned. When this stumbling-block was removed out of the way, the other clauses, to which objections of less importance were made, were modified so as to meet, as far as possible, the views of all parties: and, at last, the bill was transmitted to the House of Lords.

There an attempt was made to restore it in some degree to its primitive form; for, in going into a committee on the measure, Lord Clifden moved, that it be an instruction to the committee, to introduce a clause to empower the lord-lieutenant to appoint a commission for the purpose of settling the amount of composition for tithes, such amount to be determined with reference to the sums paid for tithes for a specified number of years previously to the valuation being made.

The Earl of Liverpool, although he believed that ultimately it would be necessary to add a compulsory clause to the bill, was of opinion, that more advantage would result from trying it as a voluntary measure in the first instance. The plan now proposed, he admitted, was an imperfect one; but it would at least alleviate the evil, and would, by its operation, cause the true nature and extent of the difficulties, that were to be struggled with, to be better understood. The motion was rejected by a majority of 34 to 11; and the measure was passed in the form which it had received in the House of Commons.

There had long been a practice in Ireland, by which parcels of land, from ten to five hundred

* See 34 and 40.

acres in extent, were let to several individuals, from two to one hundred, jointly. Every one of these tenants was responsible for the rent of all the rest, as well as for his own. They made a new division of the arable every year or two; but the pasture remained always undivided. They generally paid a rack-rent; and after they had built their huts without mortar, chimney, or window, all swore on registering their freeholds, to 40s. profit arising from a joint lease for one or more lives. The uniform results of this system were, squalid beggary and extreme indolence; the necessary consequences of the industrious being liable to pay for the idle and profligate.

Being all bound for each other, to the whole extent of the reserved rent, the landlord could at any moment ruin any one though worth far more than his own proportion of rent, by distraining him for the rent of his co-lessees. Even where joint-tenants were in the best circumstances, much of their time was lost in watching the proper application of their common funds. They all attended, whenever money was to be received or paid for the general account. This system contributed also in another way, to the multiplication of a beggarly population; for as persons never value a common right like an individual one, joint-tenants readily admitted into their partnership all their sons and frequently their sons-in-law. These joint-tenancies were equally injurious to the interests of the landlord: but they afforded him an easy means of increasing the number of voters under his absolute control; since he could, without difficulty, have every male living on his estate registered as a free-

VOL. LXV.

holder. This electioneering influence was the bribe, which perpetuated so pernicious a mode of letting. To discourage, therefore, a practice productive of so much evil, an act was passed, providing that it should not be lawful for any person to register, or to vote at an election in respect of, any freehold under the yearly value of 20l. held under a lease executed to any persons jointly, in common, or in partnership, after the 1st of July, 1823.

On the 25th of June, Mr. Brougham presented a petition, signed by two thousand Roman Catholics of Ireland, complaining of the unequal administration of justice in that part of the empire. On the following day, after having moved that the petition should be entered as read, he proceeded to the consideration of the complaint contained in it. The topics upon which he insisted were the composition of the magistracy—the selection of juries—and the conduct of Sheriffs and their deputies. On the latter subject, he reminded the House of a circumstance, which had occurred during the current session. A gentleman of the name of Dillon M'Namara, an attorney of many years' standing, had been summoned upon the late inquiry into the conduct of the sheriff, and grand jury of Dublin; and, by way of discrediting his evidence, the following questions had been put to him,—“Did you not some years ago offer a bribe to a sub-sheriff of Dublin, if he would pack a jury to get off a client of yours, who was going to be tried for forgery?”—Answer, “Yes, I did.” “Did you pack the jury?”—Answer, “No, I could not, because the panel was up at the castle.

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Did not the sub-sheriff, it would be asked, perhaps, indignantly reject the bribe? Did he not treat the offer, as every sub-sheriff in every county in England would treat it? Mr. M'Namara's answer as to that point made no mention of indignation. The questions went on—"Did not the sub-sheriff reject the bribe?" Answer. "He did not get the bribe." Mr. M'Namara would not say he rejected it. Question, "Why did he not get the bribe?"—Answer, "Because he did not do what I wanted him to do." This was not, Mr. Brougham submitted, exactly the kind of dialogue, which would have taken place between an attorney and a sub-sheriff in England, upon the subject of packing a jury. He would not say, that the man, who would pack one jury to acquit a prisoner of felony, would as readily pack another to convict a man of high treason, or of libel; but it would not be too much to suggest, that there was a point in money matters, to which, if the briber could manage to go, he might possibly find access to the ear of the sub-sheriff, even although he should wish to secure a conviction for an offence of that character. What would the House say to another practice, which he could prove by competent witnesses to exist in Dublin universally, of the sub-sheriff, whose duty it was to summon the juries, being in the habit of receiving from persons liable to serve, a fee of a guinea a-year, to refrain from calling on them to perform that duty? So that those men, to whom it was convenient to pay a guinea a-year, did not serve on juries at all; while those, who could not afford to pay the guinea, were compelled to do double duty, and those, who wished

to serve, might, by not paying the guinea, serve more frequently than came to their turn. And this precious practice was not peculiar to Dublin; the provinces had the benefit of it as well as the capital, though the fee in country places was only half a guinea a year. Thus the superior classes, who were best calculated to act as jurymen, gave up, unless where they chose to act, the duty altogether; and it fell into the hands of persons who were less competent to the discharge of it, and more open to undue influence.

Another evil was, that the process of the law did not reach equally to all classes of persons. Where a man had money, he regularly bribed the sub-sheriff, as soon as that officer came into place, and agreed to pay him all fees upon writs out against him for debt, as if such writs were formally served, provided timely notice of the issuing of such writs were given him. To the poor man, of course, this indulgence did not extend: he was taken with all the rigour of the law, and full justice was executed upon him. Mr. Brougham said, that he could prove this at the bar; but, in fact, it had been proved within the last three days, before a committee above stairs. He would read a note to the House of the evidence upon the subject. It was an attorney of respectability who now spoke, giving his evidence on the 23rd of the present month. Question. "Do you regard the difficulty of obtaining money in Ireland after judgment, as one of the obstacles to English capital being carried to that country?" Answer. "Certainly I do; and it is one of the greatest evils we have to contend with." Question. "How

does it arise?" Answer. "In the management of the office of Sheriff—there is no such thing as executing a writ, as you do it in England. I mean to confine this to executing it upon persons having the rank and means of gentlemen; and the city of Dublin and the county of Cork are exceptions to the rule. In other places it is the habit, upon the appointment of a sub-sheriff, that he gets notice that he will be paid his fees upon writs delivered, if he gives notice to the party that the writ is about to issue." Question. "Does this practice prevail generally?" Answer. "I understand it to prevail every where, except in Cork county and Dublin city." Now, what was the result of such a system? A man might have 20,000*l.* in the English funds, or in any investment which the law did not reach; he might be living in Ireland in the midst of luxury and magnificence; a hundred writs might be out against his person: but, so long as he could bribe the sheriff to give him notice in time, he might defy his creditor, and suffer him to starve. And the evidence, which he was quoting, did not stop at this point. Another question was, "Do you mean to say, then, that there is one practice for the higher orders in Ireland, and another for the lower?" The answer was, "Yea." Question. "Stricter in the one case than in the other?" Answer. "Certainly." Was not this what lord Redesdale had had in his eye, when he had said, "There is one law for the rich, and another for the poor—both equally ill-executed?" The evidence given by this man of practical knowledge and habits bore out, to the very letter, that which lord Redesdale had asserted.

After a severe invective against lord Norbury, and some remarks on the want of the same guarantees for judicial purity as were enjoyed in England, Mr. Brougham proceeded to impugn the three systems of the civil bills, the revenue boards, and the assistant barristers. For the civil-bill system it was scarce necessary to go beyond the records of the House. Act after act had been passed upon the subject, each admitting the faults or abuses let in by that which went before it. For the revenue boards, their whole construction carried abuse and mischief upon the face of it; the same individual adjudging forfeiture one moment, and claiming the benefit of it for his own advantage the next: and control over the liberties and properties of the king's subjects committed to the hands of men without a qualification which should fit them to exercise it. Mr. Brougham concluded by moving, that the petition should be referred to the grand committee for courts of justice.

Mr. Goulburn opposed this course. He said, that, when he looked at the charges contained in the petition and the want of facts to substantiate those charges, he could not give much credit to them. The pure administration of justice certainly ought to be the first object of the House; but if they were bound to guard against the corruption of it, they were equally bound to guard against exposing that administration to unjust suspicion. The grievance complained of had been divided into two branches—the one, that the law was unequal with regard to Protestants and Catholics; and the other, that the administration of that unequal law was corrupt—Was the first grievance applicable

to Ireland alone? Why a noble lord was just on the point of introducing a bill, the object of which was to confer on the English Catholics the same privileges as were possessed by Catholics in Ireland. The learned gentleman had charged the magistracy with being more or less corrupt. Mr. Goulburn stated generally his belief, that the administration of justice in Ireland was not chargeable with partiality or corruption; and declared, that he could not accede to a motion which was grounded on no statement of facts, which consisted in general assertion, and which, if encouraged by parliament now, might go to the extent of vilifying every character and the whole administration by general and declamatory abuse.

Several of the Irish members reprobated the petition in very strong language. Mr. Hutchinson thought, that the complaints of the petitioners were to be understood as referring principally to the situation in which they were placed in the city of Dublin, and not as alluding to other parts of Ireland. If the complaints were meant to be generally applicable, he and many other gentlemen could contradict them. The distribution of justice in Leinster, Munster, and Connaught, was perfectly fair, and left the Catholics without cause of complaint. How could it be otherwise, when, in different counties, many of the grand jurors were Catholics? If this petition were understood to convey a complaint against the administration of justice generally—against the integrity of the bench as a body—against grand and petty juries generally throughout the country—he was prepared to negative the imputation; for, in the parts of

Ireland with which he was best acquainted, there was no ground for the accusation; nor did the Catholics there, to his knowledge, ever make or sanction it.

Mr. Daly could not assent to the proposed construction of this petition as applying only to the corporation of Dublin. On the contrary, he saw that it cast a general imputation upon the judges, the magistracy, the grand and petty juries, throughout Ireland. A charge so broad was an attack upon the Protestants of the country, totally unfounded in every respect. Much as he contended for the justice and policy of the Catholic claims, yet he could not sacrifice to mean popularity his sense of the gross injustice of the charge conveyed in this petition. Not a single fact was stated in this petition, and every insinuation it conveyed was unfounded. He could say, as the representative of a large Catholic county, that he never sat upon a jury without finding a Catholic in the jury-box; and he had never, in a single instance, heard from any member of that religion a complaint of a mal-administration of justice; he had never heard from one of them even a whisper of corruption. He owed this statement to the character of his Protestant fellow-countrymen; and he owed also to the Catholics to deny their general participation in the statements of this petition. Not a single Catholic nobleman, member of a noble family, or baronet, had signed it. There was no signature to it of any of the great Catholic landed proprietors; nor even of any of the great Catholic merchants. Such a petition did not speak the sense of the Catholics of Ireland, nor did it contain a syllable of fact from the beginning to the end.

After speeches from air Henry Parnel, Mr. Abercromby, Mr. V. Fitzgerald and Mr. Peel, the House divided: fifty-nine voting for Mr. Brougham's motion, and a hundred and thirty-nine against it.

Mr. Hume directed part of his attention to the affairs of Ireland: but the schemes, which he proposed, were too extravagant to meet with any semblance of support. One of his plans was embodied in four resolutions, which he brought forward on the 4th of March. These resolutions were

1. That the property of the church of Ireland, at present in the possession of the bishops, the deans, and chapters of Ireland, is public property, under the control and at the disposal of the legislature, for the support of religion, and for such other purposes as parliament in its wisdom may deem beneficial to the community; due attention being always paid to the rights of every person now enjoying any part of that property:
2. That it is expedient to inquire whether the present church establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed and the incomes they receive; and, if so, whether a reduction of the same should not take place, with due regard to all existing interests:
3. That the peace and best interest of Ireland would be promoted by a commutation of tithes—those belonging to lay improvers, as well as those in possession of the clergy—on such principles as shall be considered just and equitable towards the interests of the clergy and the present possessors, whether lay or clerical:
4. That a select committee be ap-

pointed, to consider in what way the objects stated in those resolutions can be best carried into effect."

These resolutions, and the principles of spoliation with which Mr. Hume had prefaced them, were strongly opposed, particularly by Mr. Peel, and Mr. Plunkett. The latter gentleman declared, that he could not allow the resolutions of the hon. member to be offered to the consideration of the House, without expressing, in terms as strong as the English language could supply, or the rules of parliament would allow him to use, his sense of the folly and desperation of the measure which had been proposed, and without expressing the strongest reprobation of it which it was in his power to bestow. The plan of the hon. gentleman for governing the church of Ireland, if proper for that country, would be proper for England. If adopted by parliament, they would in effect declare, that the property of the hierarchy was public property, and was liable to be disposed of for purposes of religion, or for any other purposes. This would prepare the way for the downfall of the hierarchy: that of the throne must follow; and this would, of course, involve the overthrow of the constitution. He was no advocate for the divine right or the sacredness of church property more than of any other kind of property. But he was an advocate for the sacredness of all property. He spoke language which came home to the breast of every Englishman, when he said, that the church of England was an integral part of the constitution, and could not be interfered with without interfering with the constitution. But the hon. gentleman said that parlia-

ment had interfered with the revenues of the crown, and had the same right to interfere with the revenues of the church. He admitted that it had the same right to interfere. But, when the House interfered with the revenues of the crown, it was not to commit an outrage, but to make a compact, to which the crown was a consenting party, and which was to last only till the expiration of the life interest of the reigning sovereign. Very different was the proposition of the hon. gentleman, who attacked the property of the church for alleged irregularities, and, without limiting his measure to a life interest, demanded that its property should be taken away altogether. But, then, an equitable adjustment should be made. And, what was the equitable adjustment proposed? Why, that full compensation was to be made to the individuals now in the church. This compensation was to be given to the individuals of whose misconduct he complained; and the property belonging to the church was to be taken from their successors, who had never offended. And this was the "equitable adjustment" proposed by the hon. gentleman, as it was the custom to call every plan of spoliation and injustice. If he deprecated this scheme as applied to the Protestant establishment of England, he deprecated it still more as applied to the establishment of Ireland. The church establishment in Ireland, as in England, was an integral part of the constitution, but in Ireland it was also the bond of connexion with this country.

The first resolution, as well as the third and fourth were negatived without a division: on the second, the House divided; when

the Ayes, were 62, and the Noes, 167.

On the 25th of June, a motion was brought forward by Mr. Hume, the object of which, in effect, was to pave the way for the abolition of the office of viceroy. What, he asked, were the duties of the lord-lieutenant? On the score of the army, there existed no need of a resident viceroy; the office of secretary at war had been abolished; that of the commander of the forces was considered unnecessary; and the customs and excise of Ireland were consolidated with those of England. There still existed the formality of the vice-roy signing warrants to the vice-treasurer; but, with the exception of the civil contingencies, he did not possess the power of disposing of a pound, without the concurrence of the treasury of England. Could not these duties, then, be discharged with efficiency in England? The very existence of a seeming court in Dublin, assembled around it all the materials of party, and it became the focus of internal disorder. The actual charge of Ireland to Great Britain, in 1822, was 3,098,826*l*. At the Union, the expence of the military establishment amounted to only 510,000*l*.—it now cost 1,500,000*l*.; and since then the allowances to the lord-lieutenant had been increased from 20,000*l*. to 30,000*l*.; whilst the whole business could be much more efficiently performed in London. It might be said that Dublin would locally suffer by the removal of the court: this he admitted, so far as the interests of a few were concerned: but within the last twenty years Dublin had increased, and it would continue to increase, in houses and population, as well as in its commerce. He

concluded by moving an address to the crown, praying for the appointment of a commission to inquire whether the government of Ireland ought to continue in its present state, or whether the lord-lieutenant and other officers ought not to be dismissed.—Mr. Goulburn opposed the motion, as derogatory to the true interests of Ireland, and fatal to her prosperity. The duties of the lord-lieutenant were most important, and could not be executed in England. Mr. D. Browne declared, that the very mention of such a thing in Dublin, would excite a kind of rebellion.—Sir J. Newport also said, that the measure was more calculated than any other to augment the discontent of Ireland—After several other members had delivered their sentiments, Mr. Hume said, that, as he was certain the inquiry he desired must come ere long from the other side of the House, he should not press the question then. The motion was negatived without a division.

The Duke of Devonshire, on the 19th of June, brought the state of Ireland generally under the consideration of the House of Lords. The whole of the government of Ireland, said his grace, its policy and practice, demanded a prompt and thorough examination. His majesty's ministers had defended their Irish policy, by saying, that their object was, not to give a triumph to any party; and the result was, that the government of Ireland was completely in the hands of the Orangemen. In such a state of things, something more decisive ought to be done, than adopting a system of giving a triumph to neither party. If he were asked what measures ought to be adopted, he should urge the concession of the Catholic question;

the arrangement of the tithes; the abridgment of the power of that party which had so long ruled in Ireland; and lastly, the most vigilant attention to the administration of the laws.—He concluded by moving the following resolutions:—"That this House has learnt, with the deepest regret, from the information laid before it during the present session by command of his majesty, that a general spirit of violence, manifesting itself in outrages of the most alarming nature, has for some time prevailed in many parts of Ireland, and that, in the opinion of his majesty's government, extraordinary powers are required for the protection of the persons and property of his majesty's subjects in that kingdom:—That this House will be ready to concur in any measures which may be found indispensable for the prompt and effectual suppression of these disorders; but experience has proved that coercion and force, however necessary to avert a pressing and immediate danger, have not been sufficient to eradicate evils, whose magnitude and frequent recurrence induce a belief that there must exist some material defect in the state and administration of the laws, and the system of the government; to the examination of which, with a view to the adoption of more permanent and effectual remedies, it is the duty of this House to apply itself without further delay."

Earl Bathurst denied that there was any evidence to substantiate the charges against the government, which the noble duke's speech contained. That parliament had not, since the Union, been employed solely in passing coercive measures, was sufficiently proved by the statute book. His lordship enu-

merated a number of measures which had been introduced for the benefit of Ireland, more particularly those which regarded her agriculture, local taxation, fisheries, and the administration of justice; and then asked, was it fair to represent parliament as only employed in devising measures of coercion? It was very true, that as the coercive measures were always confined to a limited period, it was frequently necessary to renew them; but the measures for the benefit of Ireland were at once rendered permanent, and were acting at this moment silently and beneficially for her advantage. One of the evils which had been complained of, was the absence of gentlemen from their estates; and this government had attempted to remedy by repealing the assessed taxes. He concluded by stating, that, as he was unwilling to meet the motion which had been submitted to their lordships with a direct negative, he would move the previous question. Lords Darnley, King, Holland, and Lansdown spoke in support of the resolutions; Lords Caledon, Limerick, and Liverpool against them. The de-

bate terminated by a division, the result of which was, that there were 59 votes for the original motion, and 135 against it.

The alleged misconduct of the chief baron, O'Grady, was the subject of repeated discussion during the present session. The accusation was, that he had exacted illegal fees on proceedings in his court. It appeared that he had done so in some instances; but it was also evident, that he fell into the error from negligence rather than from any corrupt motive. The more the matter was discussed, the slighter became the character of his supposed offence; and ultimately, so satisfied were all parties that the matters of imputation against him were merely trivial and accidental irregularities, that no further proceeding or inquiry with respect to them was instituted.

In the end of summer and the earlier part of autumn, the outrages in the south of Ireland increased in number, and assumed a character of extreme ferociousness. As winter approached they again subsided; and, by the end of the year, the country enjoyed rather more tranquillity than was usual.

CHAP. IV.

Catholic Question: Sir F. Burdett declares his Intention of withdrawing from the Discussion: Imputations on Mr. Canning and Mr. Plunkett: Mr. Canning's Defence: Mr. Brougham's Invective against Mr. Canning: intemperate Conduct of the latter: Motion for committing Mr. Canning and Mr. Brougham to the custody of the Serjeant at Arms: termination of the Quarrel: Remarks on this Proceeding—Mr. Plunkett's Motion on the Catholic Claims: its fate—Bills for conferring the Elective Franchise on English Catholics, and admitting them to certain Offices, passed by the Commons, but stopped in the Lords—Lord Colchester's Motion with respect to Catholic Institutions—Parliamentary Reform—The state of the Elective Franchise in Scotch Counties—Motion with respect to the Election of Magistrates for the Borough of Inverness.

IT was the wish of many of the friends of the Catholics, that the question of their claims should not be discussed in the present session. Mr. Canning expressed his opinion in favour of this course. The general sentiments, however, of the friends of the cause leaned the other way; and the 17th of April was fixed for a formal motion on the subject.

On that day, the presenting of several petitions concerning concessions to the Catholics gave rise to some preliminary discussion, in which sir Francis Burdett declared, that the annual discussion of this question was a mere farce, from which the honest friends of the Catholics ought to withdraw. Then alluding to some observations which had fallen from Mr. Canning in a debate, two nights previously, on the *ex officio* informations in Dublin, he inveighed bitterly against that gentleman for his alleged defection from the cause of Emancipation. The right hon.

secretary, he said, had stated that it was impossible the Catholic claims could ever be carried; for, he had stated, that it was impossible a government, or rather an administration, should ever be formed, by which this question should be carried; and that, if it was possible to form such an administration, he, to accomplish it, would willingly leave office—his acceptance of which was the cause of all this compromise of the public safety. If such was the case, why had Mr. Canning consented to practise a deception upon the House and the country? Why had he employed himself in raising hope that was only to be deferred, and deferred only to be disappointed? Why had he contributed to irritate and excite the warm feelings of a generous people, only to plunge them still lower in the depths of grief and despair? Had he come forward so often upon this subject, merely because it afforded him a happy theme for the display of his

rhetoric? or had he endeavoured to catch a breath of the fleeting gale of popularity, by affecting, in this solitary instance, to be the advocate of liberal principles? Some motive of this kind must have influenced the right hon. gentleman; because he well knew, at the very moment he was vapouring in the cause of the Catholics, that his exertions must be utterly fruitless of all benefit, and become the fertile source of irritation and discontent. Notwithstanding this obvious truth—obvious by the event—the House had been repeatedly called upon to waste its time in useless discussion. The people of Ireland had again and again been excited to the utmost pitch of expectation; and again and again had they learned, that their feelings had only been trifled with and insulted. Their rights had been enforced by the right hon. secretary in the strongest terms; their wrongs had been painted in the most vivid colours; but to their rights and to their wrongs, that quarter, which it was most important to propitiate, had been equally deaf. That the people of Ireland, with their feelings so called forth—with their grievances painted in such vivid hues—with their wrongs so held up in the eloquent language of the right hon. gentleman, in addition to their own sense of intolerable injustice, should not be tranquil, was matter of any thing but wonder. It was a little too much to trifle with the feelings of the people and with the tranquillity of Ireland, by uselessly continuing so painful an excitement. Far better was it at once to put an end to all hope of bettering their condition, and to proclaim, that the system of Protea-

tant ascendancy would never be relaxed from, than that the Catholics should be led to struggle, without a chance of success. Under such circumstances, he conceived that he should best discharge his duty by withdrawing from an useless discussion. He concluded with reading an extract from a speech delivered by Mr. Plunkett on the 25th of February 1813. That extract was received with loud cheering by the House: it was in the following words: "But how can any honest mind be reconciled to the ambiguity, in which the cabinet has concealed itself from public view on this great national question; or with what justice can they complain of the madness, which grows out of this fever of their own creating? This is no subject of compromise. Either the claim is forbidden by some imperious principle, too sacred to be tampered with, or it is enjoined by a law of reason and justice, which it is oppression to resist. In ordinary cases, it sounds well, to say, that a question is left to the unbiassed sense of parliament and people; but that a measure of vital importance, and which has been again and again discussed by all his majesty's ministers, should be left to work its own course, and suffered to drift along the tide of parliamentary or popular opinion, seems difficult to understand; that government should be mere spectators of such a process is novel; but when it is known, that they have all considered deeply, and formed their opinions decidedly, in direct opposition to each other; that after this they should consult in the same cabinet, and sit on the same bench, professing a decided opinion in point of theory, and a strict neutrality in point of prac-

ticé; that on this most angry of all questions they should suffer the population of the country to be committed in mutual hostility, and convulsed with mutual rancour aggravated by the uncertainty of the event, producing on the one side all the fury of disappointed hopes, and on the other side malignity and hatred, from the apprehension that the measure may be carried, and insolence from every circumstance, public or private, which tends to disappoint or postpone it; one half of the king's ministers encouraging them to seek, without enabling them to obtain; the other half subdivided; some holding out an ambiguous hope, others announcing a never-ending despair. I ask, is this a state, in which the government of the country has a right to leave it? Some master-piece of imperial policy must be unfolded, some deep and sacred principle of empire, something far removed from the suspicion of unworthy compromise of principle for power, to reconcile the feelings of the intelligent public, or to uphold a rational confidence in the honesty or seriousness of the government. The consequences of such conduct are disastrous, not merely in the tumult and discord which they are calculated to excite, but in their effect upon the character of the government and the times."

Mr. Canning denied that he had ever said, that he considered the success of the Catholic question as hopeless. What he had said was this—that he thought it hopeless, in the present state of the country, and of this, and the other House of Parliament, to form an administration which should agree upon this measure, and upon all other general measures, so as to be able

to carry on the business of the nation. If any persons imagined that such a declaration was equivalent to a declaration that he thought that this question could not be carried without its being made what was technically called a government question, all he wished to have recollected was, that it was not he who had promulgated such an opinion. He had always thought, and had repeatedly said, that this question would make its way under any government, which did not actually unite or openly set its countenance against it. He believed, that it had been making its way. It might, however, receive its death-blow from the secession which had been threatened that evening; but, if it did so fail, on the heads of the seceders alone let the blame of its failure be thrown! With respect to the observations which had been made upon his own conduct, he asserted, that, both in and out of office, but more especially whilst out of office, he had done every thing in his power to promote the success of this great cause.

Mr. G. Bennett expressed his approval of the sentiments uttered, as well as of the line of conduct announced, by sir Francis Burdett; and called in question the sincerity of Mr. Plunkett, no less than that of Mr. Canning. Other members of the opposition, among whom was Mr. Tierney, though equally vehement with the honourable baronet in their condemnation of ministers, thought themselves bound, hopeless as the cause was, to support the claims of the Catholics by their votes. Mr. Peel then defended his conduct upon this subject. He was followed by Mr. Brougham, who, with more than usual ardour of manner, poured out a strain of

warm eulogy of Mr. Peel, and bitter invective against those members of the cabinet, who, pretending zeal for the Catholic question, abandoned it to its fate. If, said he, the other ministers had taken example by the single-hearted, plain, manly, and upright conduct of the right hon. secretary for the home department, who had always been on the same side of the question, never swerving from his opinions, but standing uniformly up and stating them; who had never taken office upon a secret understanding to abandon the question in substance, while he continued to sustain it in words; whose mouth, heart, and conduct had always been in unison upon the question—if such had been the conduct followed by all the friends of emancipation, he should not have found himself in a state almost bordering on despair, with regard to the fate of the Catholic claims. Let the conduct of the attorney-general for Ireland have been what it might; let him have deviated from his former professions or not; still, if the right hon. secretary for foreign affairs had come forward at that critical moment for the question, and for his own character, when the point was, whether he should go to India, into honourable exile, or take office in England, and not submit to his sentence of transportation, but be condemned to hard labour in his own country—doomed to the disquiet of a divided council—sitting with his enemies, and pitied by his friends—with his hands chained and tied down on all those lines of operation, which his own sentiments and wishes would have led him to adopt—at that critical moment, when his fate depended upon lord chancellor

Eldon, and his sentiments with respect to the Catholic cause—if, at that critical moment, he, who had said on the last night that he would not truckle to a noble lord (Folkestone), but who then had exhibited a specimen, the most incredible specimen, of monstrous truckling, for the purpose of obtaining office, that the whole history of political tergiversation could furnish—

Mr. Secretary Canning—I rise to say, that that is false.

The Speaker, after a perfect silence in the House during some seconds, said in a low tone, that he hoped the right hon. secretary would retract the expression he had used. An individual of his high rank and station could not fail to be aware, that such an expression was a complete violation of the orders and customs of the House.

Mr. Canning said, he was sorry to have used any word which was a violation of the decorum of the House; but no consideration on earth should induce him to retract the sentiment.

The Speaker asked the House, whether they would not support him in requiring Mr. Canning to call back his words.

Mr. Canning said, he was ready to acknowledge, that, so far as the orders of the House were concerned, he was exceedingly sorry that any conduct or expression of his should have attracted their displeasure. But, if he was to be required to recall his declaration, by an admission that his impression was erroneous as to the expressions which had been applied to him, he could not in conscience do it.

The Chancellor of the Exchequer requested Mr. Brougham to consider for a moment the lan-

guage which he had used ; and he would see, that it would not have been borne by one gentleman from another. He would be doing nothing inconsistent with his honour as a man, or as a member of that House, if he would enable his right hon. friend to retract the language he had used, by admitting that the expression he had made use of was not intended to convey a personal insult.

The Speaker seemed disposed to follow up this suggestion, by calling on Mr. Brougham to explain the words which he had used : but Mr. Tierney and lord Archibald Hamilton checked him by insisting, that Mr. Canning was not in a condition to call for an explanation of any ambiguous phrases that had been applied to him, till he had retracted that expression which was a direct violation of the orders of the House. Mr. Banks then moved, that both parties should be committed to the custody of the sergeant at arms. During all this time, Mr. Brougham remained silent, except that when Mr. Wynn requested him to state what was really the intention of his language, Mr. Brougham refused to give one word of explanation.

Mr. Canning had declared that he would not retract his words : and it was impossible to call on Mr. Brougham to be the first to explain. In this situation of things, there seemed to be no other course than that proposed by Mr. Banks. It was one, however, which the House was loath to adopt : the manager of the House of Commons in the custody of the sergeant at arms would have been a novel spectacle. At last, sir Robert Wilson hit upon a mode of smoothing down the difficulties, by proposing that Mr. Canning should

make a conditional retraction, so as to enable Mr. Brougham to disavow any purpose of personal offence.

Sir Robert stated, that he was satisfied, that the expressions which had fallen from his learned friend were addressed to the right hon. gentleman in his official character, either as governor general of India, or as secretary of state for foreign affairs : and that the interruption of the right hon. gentleman arose only from the firm conviction of the moment, that the expression was personal, and no otherwise intended. With this view of the case, he thought the right hon. gentleman might, consistently with his honour and feelings, say, that it was under an impression that the language was meant to be personal that he had applied the epithet which had called forth the present discussion.

Mr. Canning declared that the suggestion was one which he should not be unwilling to receive and to act upon : but he begged to be understood as acceding to it under the assurance, that the learned gentleman denied the intention to convey any personal imputation in the language he had used. Personal he had considered that language ; as it went to impute to him, that he had made unbecoming submissions to a high individual in the administration of the country, for the sake of obtaining office. Such an imputation he felt to have been cast, not on his official, but his private character. If that imputation should be denied, he was ready to admit, that, in what he had stated subsequently, he was mistaken : if, on the other hand, the imputation should be avowed, he retracted nothing.

The Speaker then stated, that his own opinion was, that no per-

sonal offence had been meant by Mr. Brougham, and he trusted the House would believe, that, if he had thought the words were used with any such intention, he would have interfered. He hoped, therefore, to have the sanction of the learned gentleman for saying, that the impression he had received from his language was that which it was intended by him to convey.

Mr. Brougham, thus called upon by the Speaker, and the whole House, declared, that he felt that it was an extremely difficult thing to speak with the accuracy, which had now become necessary, of the expressions he had used; and that he was incapable of telling the House exactly what he had said: but he perfectly remembered what was his meaning. He did not know whether his expressions might have been used too warmly, or if they might have had a personal application; because he did not profess that his mind was capable of making a very nice distinction in the selection of phrases, which should apply exclusively to the personal or to the political character. He would, however, tell the House what he meant to say. He had used the words "political tergiversation," and described the conduct of the right hon. gentleman, as something which stood prominent in the history of parliamentary tergiversation. The expression, he admitted, was strong; but he entertained a strong feeling, and he had meant to express it with respect to the right hon. member's public and political life. As a private individual, he had never known aught of him, which did not do him the highest honour. He considered that the right hon. gentleman had, by his speech delivered at Liverpool, for the first

time in his life, said, that he did not wish the Catholic question to be discussed again in Parliament. At that moment it was known, that the right hon. gentleman was about either to become a minister, or to go as governor-general of India: and the lord chancellor was the person of the highest authority and influence in the cabinet. He had talked of the conduct of the right hon. gentleman as it appeared to him from the change which had taken place in his conduct with respect to this question; and he had a right to form an opinion of his motives from the outward and visible form of his actions, which seemed to him to show a truckling to the lord chancellor. He surely had a right to speak of his conduct as a statesman, which he deplored, and this he had done. He had not done so for any party, and still less for any personal purposes, but because its consequences were likely to prove a death blow to that cause, in the support of which they had both been engaged. Whether this explanation were full enough or not, the right hon. gentleman must decide for himself. He (Mr. Brougham) could have wished to have given a fuller one; but what the right hon. gentleman had added to his last speech, in which he almost repeated the disorderly expressions, had stopped him: his mouth was closed, on his part, reluctantly and unwillingly.

Mr. Peel then put it to the House, whether it was not their sincere conviction that a satisfactory explanation had been given, and that the affair ought not to be further proceeded in. Mr. Banks having expressed himself completely satisfied and withdrawn his motion, Mr. Tierney mentioned, that all that remained to be done,

was, for the parties to say that they would think no more of the matter. Mr. Canning immediately rose and said, that he should think no more of the matter; and Mr. Brougham repeated the same expressions.

So ended this approximation to a personal quarrel, in which Mr. Canning did not sufficiently consider either his exalted and responsible station or the dignity annexed to his high endowments of mind. Mr. Brougham's language, though harsh, and, as far as we can judge, unfounded in fact, did not exceed the bounds of political invective: and if met at all, it ought to have been met either by cool denial or by a grave statement of circumstances. The intemperate language of irritation and passion was unworthy of Mr. Canning; and it was degradation to be goaded into the bravado of a bully. Mr. Canning's words, in effect, said "you shall either fight me or retract." It may be doubted, whether a statesman, in legislative debate, ought ever to have recourse to this mimicry of the *ultima ratio* of kings: but if he does choose to tender such an issue to his opponents—if he does condescend to say to them, "I will prove by fighting you, that I do not merit your sarcasms:"—he ought, at least, to be consistent; and he should make this communication privately, and not in the face of an assembly, where the purpose must necessarily be defeated by the mere promulgation of it. To tell a man in private life that what he says is false, has a meaning and a result: to tell him the same thing in Parliament, is mere passion and fury, and, at the most, is only a formal invitation to the House to commit him, who uses such expressions, to the custody of the sergeant at arms.

After this personal affair had been settled, Mr. Brougham went on with his speech, exhorting the friends of the Catholics not to relax in their efforts, in spite of the certainty of present failure. Several other members having spoken to a similar effect, the Speaker called on Mr. Plunkett to proceed with his motion. Sir Francis Burdett, Mr. Bennett, Mr. Hume, Mr. Hobhouse, Lord Sefton, Sir R. Wilson, Mr. Creevey, and several other Opposition members immediately left the House. After a short interval, Mr. Plunkett rose, and after deploring the secession of so many members, deprecating the desponding language of Mr. Tierney, and defending his own conduct in accepting office, he proceeded with his motion, which he concluded by moving that the House go into a committee on the Catholic claims. A few remarks from Mr. Bankes, and Mr. Becher, constituted the whole of the debate: after which, it was first moved, "That this House do now adjourn;" but this motion was with the leave of the House, withdrawn. It was next moved, "That the debate be adjourned till the following day." Upon this the House divided; Ayes, 134. Noes, 292. It was afterwards moved, "That the debate be adjourned till Monday next." This motion being negatived without a division, it was then moved, "That the debate be adjourned till this day six months," whereupon a motion was made, and the question put, "That this House do now adjourn." The House divided: Ayes, 313. Noes, 111.—The question was not again brought forward during the session.

Lord Nugent brought in a mea-

sure for placing English Catholics on an equal footing with those of Ireland, by giving them the elective franchise, and admitting them to hold certain offices. At the suggestion of Mr. Canning, it was divided into two bills; the first of which was confined to the grant of the elective franchise by repealing so much of the statute of William III, as related to the administration of the oath of supremacy to persons voting for members of parliament. This concession, being supported by Mr. Peel, passed the Commons without much difficulty. The objection relied on, especially by Mr. Bankes, was, that this was the first step to further encroachment, and that it was inconsistent to give Catholics the right of voting for members of parliament, and yet exclude them from sitting there themselves. Mr. Peel declared, that he could not see, how, upon granting the elective franchise to the Catholics, he was at all bound to grant them the further right of sitting in parliament. In fact, the two things had no connexion with each other. The hon. member for Corfe Castle had said—"This measure gives us a class of men who may make members of parliament, but who cannot become members of parliament themselves." Why, what was there new in this? From the different rights attaching to different kinds of property, there were already thousands of men in the country who could vote for members of parliament, and yet could not sit in parliament themselves; and *vice versâ*, there were many, who were competent to sit in the House, but who had not the qualification for voting. There were, for instance, the clergy of England, a whole body of individuals who were excluded by law

from being elected to parliament, although they possessed, or might possess, the elective franchise. As for danger in the present measure, he saw none; and he denied that it bound its advocates to support any ulterior measure. The Catholics of England were few in number; and even in Lancashire, the county in which their party was strongest, he did not believe that they would have influence enough to return a single member to parliament. The law of exclusion at present was one of the very worst character. Its enforcement depended upon the pleasure of individuals, who would never make use of it upon public grounds, or upon principle; because the individual who barred the Catholic from voting, was always the party against whom he was going to vote. If the exclusion were to continue, he would prefer seeing the *veto* made absolute, to leaving the law in its present state; but, as he thought that admission could do no possible mischief, and that much advantage would accrue out of that community of feeling between Catholic and Protestant, which the bustle of an election would produce, he gave his hearty support to the measure.

The principal division on the bill took place in the Committee, where it was carried by a majority of 89 to 30.

On the 9th of July, lord Lansdowne moved the second reading of it in the House of Lords. It was supported by the bishop of Norwich, lord Westmoreland, lord Liverpool, lord Melville, and lord Harrowby; but it was vehemently opposed by lord Redesdale, and the Lord Chancellor. The result of a division was a majority of 7 against the bill; the numbers

being as follows: Contents, 48; Præfices, 80—73: Not-contents, 41; Proæfices, 39—80.

The second bill—that for making Catholics eligible to certain offices in England—also passed the House of Commons, but it was not introduced into the Lords; the marquis of Lansdowne having, even before the rejection of its comrade, expressed his willingness to defer the consideration of it till the following session, in order to give time for its full discussion.

On the 3rd of July, leave was asked and obtained in the House of Commons for sir Henry Parnell, and sir John Newport, to bring in a bill to enable Roman Catholics to make and execute gifts and grants for pious and charitable purposes; but nothing was done in pursuance of this permission. The only effect of it was, to excite the vigilance of the opponents of the Catholic cause; and, in particular, to induce lord Colchester to move for returns of the number of Roman Catholic Chapels, Schools, Academies, Colleges, and religious houses in England, and also of the number of persons belonging to such monastic establishments, or bound by monastic or religious vows. This motion was reprobated by lord Rosslyn as ineptitorial, and, at the recommendation of the lord-chancellor, it was withdrawn by the noble mover, who stated, however, that he would renew it, if any step should be taken towards such a bill as that which had been mentioned in the House of Commons.

A number of petitions in favour of parliamentary reform were presented; among which, that of Yorkshire was the most conspicuous. It boasted of being 886 feet in length, and of having 17,083

VOL. LXV.

signatures. This was considerably more than two-thirds of all the free-holders of the county; for, at the contested election sixteen years before, when every part of Yorkshire was ransacked for voters, only 23,070 came to the poll. Lord Milton, in presenting the petition, stated, that the utmost pains had been taken to exclude the names of persons who were not bona fide freeholders; and he did not believe, having gone over the whole of them, that there were fifty to which an exception could be reasonably made. One or two had signed as trustees, a few more as freeholders of Hull, and of York, who ought properly not to have been included, and he believed that the names of five females would be found upon the list.

On the 24th of April, lord John Russell moved, that the present state of parliamentary representation required the most serious consideration of the house; lord Normanby seconded the motion, which was supported by Mr. Ricardo, sir J. Newport, and sir F. Blake, and opposed by sir H. East and Mr. R. Martin. The house divided,—for the motion, 169—against it, 280,—majority, 111. The discussion was exceedingly languid and did not excite much interest. Lord J. Russell's plan of reform was, to have a hundred members, to be taken from the quota now furnished by the boroughs, added to the representation of the counties and populous towns. The only circumstance, in which it differed from the scheme proposed by him in the preceding year, was, that he now professed his willingness to acknowledge the right of the boroughs, which should be disfranchised, to have compensation for the loss of their privilege.

[G]

In Scotch counties, the right of voting is annexed, not to the proprietorship, but to the feudal superiority, of the land. On the 2nd of June, lord Archibald Hamilton, who had in former sessions called the attention of the legislature to this subject, after unfolding the evils of a system, which excluded the great mass of the property as well as of the population of the country, from political power, moved five resolutions, in which were embodied the facts and the principles which showed the necessity of an alteration. These resolutions were to the following effect: 1. That it appeared by a certified copy of the roll of freeholders of every county in Scotland, laid before Parliament in 1820, that the total number of persons having a right to vote, in all those counties together, did not exceed 2,889: 2. That, by the same return, it appeared that the greatest number of persons having a right to vote in any one county, did not exceed 240, viz., for the county of Fife; and that the smallest number did not exceed 9, viz., for the county of Cromarty: 3. That it further appeared from the same return, that many of the same persons had a right to vote in several counties, and consequently that the total number of voters for all the counties of Scotland was considerably less than 2,889: 4. That the right of voting for a representative for a Scotch county depends, not on the possession of the *dominium utile* of any real landed estate in such county, but on holding superiority over such estate, which superiority might be, and frequently is, disjoined from the property, insomuch that of all the persons qualified to vote for a Scotch county, there may not be

one who is possessed of a single acre of land within the county; while the whole of the land may belong to, and be the property of, persons who have not a single vote for the representative: 5. That the house would, early in the next session of parliament, take into its most serious consideration the state of the representation of counties in Scotland, with a view to effect some extension of the number of votes, and to establish some connexion between the right of voting and the landed property of that country.

The remedy, which lord A. Hamilton recommended in his speech, was, to leave existing rights untouched, but to increase the number of electors by giving votes to those to whom the *dominium utile* of the land belonged.

These principles and resolutions were opposed by sir George Clerk, Mr. H. Twiss, lord Binning, and the Lord Advocate. Their only arguments were, that the people of Scotland did not complain, and that, in fact, the electors were nearly all land-owners. The first topic was obviously one of declamation and not of argument; and the other tendered an issue altogether erroneous: for the *gravamen* of the charge made by lord A. Hamilton was—not that the actual electors had no connection with the land—but, that it was not their property in land which gave them their vote—that the vote might be separated totally from substantial property—and that, in point of fact, only a very few of the land-holders of Scotland had any share in the elections. The resolutions were supported by lord Milton, lord Glenorchy, sir James Macintosh, and Mr. Kennedy.

The previous question being put on the first resolution, the House divided: the Ayes, 117; the Noes, 152; which gave against lord A. Hamilton's motion, a majority of only 35.* The announcement of the numbers was received with loud cheers from the opposition benches: and lord Milton expressed a hope, that the result of the division would be well considered by the whole country; and that

in it the inhabitants of Scotland, who took an interest in the state of their representation, would see a much nearer prospect of their wishes being accomplished than some gentlemen who spoke, had anticipated.

The magistrates of the Borough of Inverness having been removed from their office by process of law, in consequence of a legal informality, the crown had in 1822

* The following is a list of the minority on this occasion.

Abercromby, hon. J.	Guise, sir B. W.	Rice, T. S.
Althorp, visc.	Gurney, Hudson	Ricardo, D.
Anson, hon. H. G.	Heathcote, G. S.	Ridley, sir M. W.
Baring, H.	Heron, sir R.	Roberts, A. W.
Barnard, visc.	Hobhouse, J. C.	Robarts, G. J.
Belgrave, visc.	Hutchinson, hon C. H.	Rumbold, C. E.
Bennet, hon. H. G.	Hume, J.	Russell lord J.
Bentinck, lord W.	Hurst, Robert	Russell, R. G.
Benyon, B.	James, Wm.	Robinson, sir G. J.
Bernal, R.	Jervoise, G. P.	Scarlett, J.
Birch, Jos.	King, sir J. D.	Scott, James
Boughton, sir W. R.	Kemp, J.	Sefton, earl of
Browne, Dom.	Langston, J. H.	Smith, J.
Buxton, T. F.	Lawley, F.	Smith, hon. R.
Calcraft, J.	Leader, W.	Smith, W.
Calcraft, J. H.	Lennard, T. B.	Smith, R.
Calvert, N.	Lushington, S.	Stanley, lord
Carter, J.	Maberly, J.	Stewart, W. (Tyrone)
Cavendish, lord G.	Maberly, W. L.	Sykes, D.
Cavendish, H. F. C.	Mackintosh, sir J.	Talbot, R. W.
Corbett, P.	Marjoribanks, S.	Taylor, M. A.
Chaloner, R.	Marryat, J.	Tennyson, C.
Clifton, visc.	Martin, J.	Tierney, G.
Colburne, sir N. W. R.	Maxwell, J.	Titchfield, marq. of
Creevey, Thos.	Milbank, M.	Townshend, lord C.
Crompton, S.	Milton, visc.	Tulk, C. A.
Cradock, col.	Moore, P.	Webb, Ed.
Davies, S.	Mostyn, sir T.	Whitbread, S. C.
Denisou, W. J.	Neville, hon. R.	White, L.
Denman, Thos.	Newman, R. W.	White, col.
Duncannon, visc.	Newport, sir J.	Whitmore, W. W.
Ebrington, visc.	Normanby, visc.	Williams, John
Ellice, E.	Nugent, lord	Williams, W.
Ellis, G. J. W. A.	O'Callaghan, J.	Wood, W.
Evans, W.	Ord, W.	
Ferguson, sir R.	Palmer, C.	
Folkestone, visc.	Palmer, C. F.	
Frankland, R.	Pares, Tho.	
Glenorchy, visc.	Pelham, J. C.	
Grant, J. P.	Powlett, hon. J. F.	
Grattan, J.	Poyntz, W. S.	
Grenfell, P.	Ramsden, J. C.	

TELLERS.

Hamilton, lord A.
Kennedy, T. F.

PAIRED OFF.

Knight, R.

84] ANNUAL REGISTER, 1823.

granted a warrant, empowering certain persons, therein named, to elect counsellors for the Borough; and under this warrant, the same persons were restored to office, who had been previously displaced as unduly elected. Lord A. Hamilton questioned both the legality, and, in point of discretion, the propriety of this mode of proceeding: contending that the warrants ought to have directed the election to be by the open vote of the burgesses. His motion on the subject was rejected by a majority of 49 to 81.

CHAP. V.

Sir James Mackintosh's Resolutions for the Improvement of the Criminal Code: nature and grounds of the Opposition to them: they are rejected—Bills on the same Subject introduced by the Government—Two Bills taking away Capital Punishment from certain Offences—Bill empowering the Judges to record Judgment of Death, without pronouncing it—Bill concerning the Internment of any Persons found Felo de se—Change in the Law of Principal and Factor—New Marriage Law: Discussion and Rejection of the Clause making Marriage voidable—Delays in the Court of Chancery—Appellate Jurisdiction—Proposed Bills for the Recovery of Small Debts—Conduct of the Lord Advocates in Borthwick's Case.

SIR James Mackintosh, in prosecution of the vote to which the Commons had come in the preceding year*, that they would in this session take into consideration the means of increasing the efficacy of the criminal laws by abating their rigour, submitted, on the 21st of May, nine resolutions to the House. The purport of these resolutions was:—That it was expedient to take away the punishment of death in the case of larceny from ships, from dwelling houses, and on navigable rivers:—That it was expedient to repeal so much of the statute 9 Geo. 1, commonly called the Black Act, as creates capital felonies, excepting the crimes of setting fire to a dwelling house, and of maliciously shooting at an individual; so much of the statute 26 Geo. 2, c. 33, commonly called the Marriage Act, as creates capital felonies; so much of the statute 21 Jac. 1. c. 26, relating to fines and recoveries; of 6 Geo. 2, c. 37, relating to cutting down

banks of rivers; of 27 Geo. 2, c. 15, relating to threatening letters; of 27 Geo. 2, c. 19, relating to the Bedford-level; of 3. Geo. 3, c. 16, relating to Greenwich pensioners; of 22 Geo. 3, c. 4, relating to cutting serges; and of 24 Geo. 3, c. 24, relating to convicts returned from transportation, as subjects persons convicted of the offences therein specified, to the punishment of death:—That it was expedient to take away the punishment of death in the cases of horse stealing, sheep stealing, and cattle stealing, of forgery, and of uttering forged instruments:—That in the case of all the aforesaid offences, which are not otherwise sufficiently punishable by law, the punishments of transportation for life or years, or of imprisonment with or without hard labour, should be substituted for death, in such proportions and with such latitudes of discretion in the judges, as the nature and magnitude of the respective offences might require;—That it was expedient to make provision, that the judges should not pronounce sen-

* See Ann. Reg. Vol. LXIV. p. 86.

tence of death in those cases where they had no expectation that such sentence would be executed;—and that it was fit to take away the forfeiture of goods and chattels in the case of suicide, and to put an end to those indignities to which the remains of the dead are exposed, in the cases of suicide and high treason. Sir James, with his usual eloquence, expatiated on the general principles, on which the necessity of mitigating our criminal code is ordinarily enforced, and illustrated the propriety of the particular changes which he had recommended.

Mr. Peel, while he acceded in general to the principles expressed by the mover, objected to the course which he had followed. He contended, that the proper mode of proceeding would have been to have asked leave to bring in a bill upon each of the heads included in the resolutions, and that great inconveniences might be the result of following the course now proposed. The House, by assenting to the resolutions, would affirm all the propositions laid down in them; and yet a bill, brought in pursuant to those propositions, might ultimately be found not worthy of being supported throughout. While the resolutions professedly followed the report of the committee on criminal law, they in truth comprehended cases not referred to in that report. The offences of stealing sheep, cattle, and horses were not referred to in the report, and yet the resolutions proposed to take away the capital punishment from them. That the hon. and learned gentleman had been misled by the report, was plain; and being so misled as to facts and cases wholly omitted in that report, was it fair that

without any notice given to the House of the objects of his resolutions, they should be called on to give a distinct opinion upon so many important alterations of the law? Suppose the House to affirm the resolutions that night, and afterwards to find themselves unable to assent to the bills brought in pursuant to them, would not that be an inconvenient situation for the House to be placed in? Was there nothing inconvenient in the rejection of a bill brought in to remedy defects, which the journals of the House would show to have been fully and clearly admitted? The right hon. secretary then discussed the merits of several of the proposed alterations; and, while he announced the intention of government to bring in bills for carrying some of them into effect, he showed that others of them were of very doubtful expediency. He concluded by moving the previous question.

Sir James Mackintosh, though several of his friends expressed their opinion that he now sought to pledge parliament, without sufficient deliberation, to too many detailed measures, persisted in taking the sense of the House upon his first resolution. The previous question was carried upon it by a majority of 86 to 76.

During the subsequent period of the session, four acts were introduced and passed, mitigating in some particulars, the severity of our penal code. By one of these,* the 6 Geo. 2nd, cap. 37, against unlawfully and maliciously breaking or cutting down the banks of rivers or sea-banks, whereby lands shall be overflowed or damaged, as also unlawfully and maliciously cutting

* 4. Geo. 4th, c. 46: passed 4th July.

hop-binds growing on poles in plantations of hops—the 27th Geo. 2nd, cap. 19, against maliciously destroying any bank, mill, engine, flood-gate, or sluice, erected for draining and preserving the North Level (part of Bedford Level) and adjoining lands—and the 3rd Geo. 3rd, cap. 16, against knowingly and willingly personating or falsely assuming the name and character of persons entitled, or supposed to be entitled, to any out-pension, or allowance of money, from the commissioners or governors of the royal hospital for seamen at Greenwich, “in order to receive the money due, or supposed to be due, on such out-pension”—were repealed, so far as they deprived persons convicted under them of the benefit of clergy; and, in lieu of the capital punishment, it was enacted that persons so convicted, “should be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years.” The same act also took away the penalty of death inflicted by the 4th Geo. 3rd, cap. 37, against “stealing, cutting, and destroying linen yarn, linen cloth, or manufactures of linen yarn, and the looms, tools, and implements used therein—by the 22nd Geo. 3rd, cap. 40, against destroying woollen, silk, linen, and cotton manufactures, and the tools, tackle, and utensils used therein;”—and by the 28th Geo. 3rd, cap. 55, against cutting and destroying frame-work-knitted pieces, stockings, and other like articles, and breaking, destroying, and damaging frames, machines,

engines, tools, instruments, and utensils used in the same manufacture and machinery: and it enacted, in like manner, that persons convicted under any of these three laws should be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years.

Another law* restored the benefit of clergy to the offences included within the following acts—the 22nd Car. 2nd, c. 5, against stealing cloth from the rack, and stealing or embezzling the king's ammunition and stores—the 10th and 11th Wil. 3rd, c. 23 (as altered by 1st Geo. 4th, c. 117), against burglary, house-breaking, or robbery, in shops, warehouses, coach-houses, and horse-stealing; and the 24th Geo. 2nd, cap. 45, against robberies and thefts upon navigable rivers, ports of entry or discharge, wharfs and quays adjacent. Adopting, instead of death, the same species and degrees of punishment as were had recourse to in the previous innovation, it enacted, that every person—who should be lawfully convicted of cutting, taking, stealing, or carrying away any cloth or other woollen manufactures, from the rack or tenters in the night-time; or of stealing or embezzling his majesty's ammunition, sails, cordage, or naval or military stores; or of privately stealing any goods or chattels in any shop, warehouse, coach-house, or stable; or of stealing any goods wares, or merchandise in any ship,

* 4. Geo. 4th, c. 53; passed July 9th 1833.

barge, lighter, boat, or other vessel or craft, upon any navigable river or canal, or in any port of entry or discharge, or in any creek belonging to any such river, canal, or port, or from any dock, wharf, or quay adjacent to any such river, canal, or port; or of procuring, counselling, aiding, or abetting any such offender—should be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years.”

The custom of pronouncing sentence of death upon great numbers, upon whom, from the circumstances attending their crimes, there was scarcely a chance that it would be actually inflicted, was rightly deemed to be an imperfection in our system: since it much diminished the solemnity of a proceeding so awful as that of passing final doom upon a fellow creature ought ever to be. To remedy this evil, a law was passed,* which enacted, that whenever any person shall be convicted of any felony except murder, as shall by law be excluded the benefit of clergy in respect thereof, and the Court shall be of opinion that, under the particular circumstances of the case, the offender is a fit object of the royal mercy, the Court may, if it shall think fit, direct the proper officer to ask, “whether such offender hath any thing to say, why judgment of death should not be recorded against him;” that if the offender shall allege nothing sufficient in law to arrest or bar such judgment, the Court is autho-

ried to abstain from pronouncing judgment of death, and, instead thereof, to order such judgment to be entered, which accordingly shall be entered of record in the usual form, and in the same manner as if judgment of death had actually been pronounced in open Court; and that such record shall have the like effect, and be followed by all the same consequences, “as if such judgment had actually been pronounced in open Court, and the offender had been reprieved by the Court.”

The mode of interment, which a long-continued custom had caused (though unsupported by express authority) to be regarded as law, was in many respects revolting to every natural feeling. To remove this stain from our national usages, a law* was passed, which enacted that, for the future, it should not be lawful for any coroner, or other officer having authority to hold inquests, to issue any warrant or other process directing the remains of persons, against whom a finding of *felo de se* should have been had, to be interred in any public highway; but that such coroner or other officer should give directions for the private interment of the remains of such person *felo de se* (without any stake being driven through the body of such person) in the church-yard or other burial-ground of the parish or place, in which the remains of such person might, by the laws or customs of England, be interred, if the verdict of *felo de se* had not been found against him; such interment to be made within 24 hours from the finding of the inquisition, and to take place between the hours of nine and twelve at night.—The

* 4. Geo. 4th c. 48: passed July 4th.

* 4. Geo. 4th. c. 52: passed July 8.

act, however, gave no authority for performing any of the rights of Christian burial on such interment; and contained a salvo of the laws and usages relating to the burial of such persons, in all other respects than those which we have mentioned.

In consequence of petitions from the merchants of London and of Liverpool, a committee was appointed to take into consideration the state of the law between principal and agent. Upon this report, a bill was passed, enacting,* that persons entrusted with goods for the purposes of sale, and in whose names such goods were shipped, either by themselves or by others, should be deemed the true owners thereof, so far as to entitle the consignees of the goods to a lien thereon in respect of advances made by them, without notice, to the apparent shippers, in like manner as if the latter had been the real owners.

The numerous formalities, required for the celebration of marriages by the law of the preceding year, had excited much clamour, especially among the lower classes of people: and the effect of that, which had been intended merely as a preventive of clandestine and improper matrimonial connexions, had produced a great diminution in the annual number of marriages. In the very beginning of the present session, the evil was removed for the time, by repealing nearly all the provisions of the late act; and a committee of the lords was appointed to frame a permanent bill on this important subject.† A bill, founded on the report of that committee, was introduced by the archbishop of Canterbury. One

clause in it provided, that the marriage of a minor by licence, without the consent of the parent or guardian, should be voidable by suit, instituted by proper parties within twelve months from its solemnisation: This clause was vehemently opposed by the archbishop of York, the bishop of Chester, and lord Ellenborough. One objection was, that the precaution might be defeated either by going to Scotland or the continent, or by marrying by bans: but the principal topic of argument was of a religious nature. To make marriage voidable was, they contended, contrary to the Christian code. The divine legislator directed, that "a man shall leave father and mother, and cleave unto his wife, and they twain shall be one flesh." He had said also, "what God hath joined together, let not man put asunder:" and had ordained, that wives should not be put away, save for adultery. Taking these texts together, it was obvious that the law of man ought to be made agreeable to the expressed law of God. Marriages were at present solemnized by the law of God, and by the law of man. It was worse than a mockery to say, that a man might be married with all the sanctities which religion could confer upon the contract,—and yet, that, after a minister of the gospel had pronounced him married in the name of the Father, the Son, and the Holy Ghost, the caprice of parents should undo so solemn a compact. As to the moral tendency of the clause, what else was it in effect, than to gratify the pride and avarice of parents, at the cost of the ruin and degradation of an innocent female and the bastardizing of her children?

The Lord Chancellor observed,

* 4 Geo. 4th, c. 83.

† 4 Geo. 4th, c. 76.

that if these doctrines could be supported, the House would have nothing to debate upon. But the question was, not whether man should put asunder those whom God had joined, but whether God had joined those who joined themselves fraudulently, and contrary to the laws of their country. Now, unless he had mistaken the whole tenor of the Old and New Testament, there was nothing contained in the scriptures, which could be taken to prevent national societies from prescribing the forms by which marriages should be solemnised. If it were otherwise, there was not a nation on earth, since the Christian era, which had not concurred in a most profane practice. Much had been said of the tenderness, with which the interests of females should be regarded in the bill before the House. He had no sort of objection to doing so, but he wished that some care should be extended also to the males. It happened to him, in the discharge of his judicial functions, to see frequent instances of the necessity of protecting the latter. In one of recent occurrence, the daughter of a bricklayer, a woman 32 years of age, with several illegitimate children, had prevailed upon a youth of 17, of high family and rank, to marry her.

Lord Liverpool stated, that he objected to the principle of the clause altogether, even if its object were right; because there were two ways of accomplishing it—the first by nullity, and the other by voidability, both of which principles were of directly opposite natures; and nullity, though sufficiently objectionable, was less so in principle than voidability. It was easy to see, how the present clause had originated. The House

had both these difficulties before them; they resorted to this clause by way of compromise; and, as usually happened, the compromise occasioned more of real difficulty than either alternative. If *de facto* a marriage did take place, and the parties coming to the altar made the vows there tendered to them falsely and knowingly, the marriage might be made null and void. But the most preposterous part of the proposed law was, that if you asked the parties one month afterwards, whether they were married, they would be compelled to answer, "We don't know, for the validity of our marriage depends upon the act of a third party, over whose proceedings we have no control." It was inconceivable, how such a state of things could be compatible with the principles of the law. He knew that in some cases there must be a nullity, but that there should be a voidability was most objectionable. Even if it were advisable that the marriages of minors should be dissoluble, it should be effected by means of making them null and void—not voidable. Another objection was—that the clause would not be sufficient to effect the object at which it aimed: for what was the clause worth, if marriages in Scotland, on the continent, and by bans, were left free from its operation? The learned lord, had said, very truly, that there were cases of female as well as of male seduction, but it became their lordships to consider chiefly that which was most usual, and he would venture to say, that, in nineteen cases out of twenty, the female was the seduced party. The woman, who after the marriage had been completed, should be turned adrift, had nothing before her but dis-

grace, misery, and ruin. The man, if by the persuasion of his friends, or from any other cause, he should be induced to give up her whom he had engaged to protect, would, during the whole of his life, be subject to feelings of no enviable description. However much improvident marriages were to be deprecated, there was no mending the matter by dissolving them. In the majority of cases it would be more tender and humane to provide, that the parent or guardian should have no choice, than that he should have one; not knowing the feelings of the parties, and not perhaps being capable of forming a correct notion of what his duty might call for. It was a responsibility which, in his own case, he should regret to be under.

The clause was supported by the archbishop of Canterbury, the bishop of London, lord Sidmouth, and lord Stowell. Formerly, said lord Stowell, it was assumed, in all cases, that the consent of parents or guardians had been granted to those about to enter into matrimony, although, in point of fact, little more was deemed necessary than the consent of the two parties themselves. In this state the matter continued for a long series of years, and that rule survived the Reformation. But soon after, the attention of the reformers was called to the propriety of strengthening the parental authority. The doctrine was then expressly promulgated, that where marriages were contracted without the consent of parents, they should be totally null and void; and thus the law remained till the time of lord Hardwicke, when the disturbances in society, from the want of an efficient marriage law, induced him to turn his serious attention to

the subject. His act was superseded by that which had been passed last year, and, in consequence of the inconveniences experienced under the latter measure, it became necessary to reconsider the subject. The committee, in turning their attention to it, found there were only four possible ways, in which the authority of the parent could be regarded;—namely, nullity, voidability, a preventive measure, or the doing of that which was extremely objectionable, throwing the reins at once on the neck of youth, at a period of life when passion always outran prudence. Nullity, he would say, in point of principle, appeared to him, up to the present moment, to be the proper course. But the general opinion was, that nullity was a monster, against which every rational man ought to take alarm; and therefore it was abandoned. Another mode had been suggested by a noble and learned person—that of a remedy by a preventive measure. If he thought a preventive measure could succeed, he should consider that to be a very advisable course; but, on principle, he knew that it could not succeed. The experiment had been tried, and it had totally failed. The number of marriages had so decreased under that preventive system, that the demoralisation of the country was likely to ensue. The last and only remaining principle, was a medium between the entire dereliction of parental authority on the one side, and entire voidability on the other. Though the committee were by no means insensible to the objections which existed against the principle of limited voidability, they thought it was one which ought to be submitted to the con-

sideration of parliament in preference to leaving youth altogether unprotected and unrestrained: and on this ground, they proposed the clause now under discussion, involving, as it did, a principle, which, they were well aware, might be open to much reasonable objection, but which they did conceive to be the best, seeing that nullity was sure of rejection, and that preventive measures were, generally speaking, inapplicable. It had been said, that the object of this clause might be so evaded as to render the provision nugatory; and that, therefore, their lordships ought not to adopt it. It could not be otherwise in the nature of things; and, if this common liability were to be taken as ground of valid objection, it would be ridiculous for their lordships to attempt to legislate at all in the matter. They might spare themselves the anxiety of devising remedies, if every remedy proposed were to be rejected, because it was possible that contrivances might be framed which should evade its operation. It had been argued, that this clause would operate principally for the benefit of the male part of our population, and would bear hard upon the female portion of the community; and their lordships had been told that the cases, against the recurrence of which they were called upon to provide, were much more numerous on the female side than on the male. Now he confessed, that his own professional experience had by no means led him to such a conclusion. As far as that experience went, it had rather been his fate to see the misery of families occasioned by sons (the hopes of those families), who had ruined themselves, and had blasted those

hopes by fatal marriages, which had overwhelmed themselves in disgrace and shame, and their connexions in the bitterest sorrow. He contended, therefore, that disgraceful marriages happened much oftener among our young male, than among our female population. And this was very natural. The education of young women was much more correct and guarded than that of young men. The former were, for a considerable portion of their lives, under the vigilant inspection and superintendence of their parents or their families; and, added to those restraints, it was to be remembered, the natural delicacy of their sex scarcely permitted them to be exposed to the same sort of dangers as young men were at that period of existence. Young men were sooner, and more frequently, and for a longer time, removed from parental inspection; they were sent to school earlier in life, and from thence were transferred to public schools, to colleges, and afterwards to great cities. There they could not so generally or so entirely be under the eye of their parents, but, left to themselves, pursued their own course and followed their own counsels. They were neither so much under parental superintendence, nor had so much the benefit of wiser counsels as their sisters had; and it was natural, therefore, that, yielding to their inclinations, they should more commonly form early attachments, and that, if they entertained such attachments, they should more frequently gratify them by improvident marriages.

Lord Redesdale and lord Sidmouth took the same view of the question: but in spite of the authority and wisdom of those who were best qualified to form a con-

rest opinion upon the subject, the clause was rejected by 28 not-contents against 22 contents.

On the 4th of June Mr. J. Williams moved for an inquiry into the arrears of business in the court of chancery, and the appellate jurisdiction of the House of Lords and the causes thereof. The substance of the speech, which he made in support of this motion, consisted of statements, inaccurate in point of fact, with respect to the expense and duration of five or six particular suits. He did not attempt to show that the delay and expense, of which he complained, was occasioned by the practice of the Court, and not, as is in most cases really the truth, by the mis-management of the parties themselves, or their solicitors and counsel :* much less did he or his confederates endeavour to point out any specific part or point in the system of proceedings in equity, in which the evil lay, or which might be altered with advantage. General declamation was the weapon with which they assailed the highest of the ordinary tribunals of the country ; and as the greater part of the public knew as little of the subject as Mr. Williams and Mr. Denman, their oracular assertions were promulgated with all the confidence of ignorance. Mr. Denman's speech, however, possessed one singularity—the boldness with which he impeached the soundness of the decisions of the lord chancellor. He was very sure, that lord Eldon ought to have issued a commission of lunacy against lord Portsmouth in 1814, and that his

determinations in the question of literary property were erroneous. Political hatred and self-conceit, will do wonders : but we confess we never anticipated that they could have deluded even Mr. Denman into a belief of his own fitness for sitting in judgment upon the decisions of a man, who is loved and revered by every individual that has occasion to observe him in the daily administration of justice, and whose patient wisdom, unassuming learning, and simple, disarming gentleness, and courtesy of manner, acting uniformly for more than twenty years, have added to his high office a dignity and influence, the value of which will not be appreciated till we have to mourn over its loss.

Mr. Brougham, Mr. Abercromby, and Mr. Scarlett supported the motion : the Attorney-general, Mr. W. Courtenay, and Mr. Wetherell opposed it, replying most triumphantly to every thing except the vague assertions and general invective of their adversaries. It was rejected after two nights debate, by 174 to 89.

A committee was appointed by the House of Lords to inquire into the state of the appellate jurisdiction. The substance of their report will be found in a subsequent part of this volume [page 63*]. It produced two results. The one was an act for a commission to inquire into the forms of process in the courts of law in Scotland ; and into the course of appeals from the court of session. The other was the adoption of certain resolutions, the object of which was, to devote five days of the week, instead of three, to hearing appeals ; and to compel the attendance of the requisite number of peers.

In pursuance of a report of

* All his examples were furnished by one solicitor, of whose practice great complaints were constantly making in the court.

a select committee on the recovery of small debts, lord Althorpe brought in a bill upon the subject, with the intention that it should stand over until the following session. The principle of it was, that a barrister of some years standing, as assistant to the sheriff, should at certain times in the year, and at different places in the county, hold county courts, in which sums under 15*l*. might be recovered by a simple bill of plaint. The assessor, it was proposed, should be nominated by the lord-lieutenant, and paid by a fixed salary.

In the last volume an account was given of certain transactions relative to a man of the name of

Borthwick, which were made the subject of imputation against the lord Advocate. Mr. Hope, who, in consequence of the circumstances that followed the debate on that question, had been brought to the bar of the House, was now solicitor-general for Scotland: a circumstance, which probably had some influence in producing a renewal of the discussion. A motion made on the 8rd of June by Mr. Abercromby, that the conduct of the lord Advocate towards Borthwick, had been unjust and oppressive, was negatived by a majority of only 6; 102 voting for it, and 96 against it.

CHAP. VI.

Agricultural Distress—Discussions on this Subject—Mr. Whitmore's Motion for a Reduction in the Import Price of Corn—Improvement in the Situation of the Agricultural Interest—Mr. Western's Motion on the Currency—Equitable Adjustment of Contracts—Re-appointment of the Committee on Foreign Trade—Warehousing Bill—Reciprocity of Duties Bill—Beer Bill—Attempted Repeal of the Laws regulating the Silk Trade.

ON the 14th of February, the report of the committee of supply being brought up, sir Thomas Lethbridge said, that, although he was gratified to find that in the last paragraph of the royal speech the landed interest was characterized as the most important in the country, he regretted that government had not pledged itself to give the great question of agricultural depression that attention which its importance seemed obviously to demand. He was afraid that the landholders of England were to be left during another session in the depressed situation of which it was impossible for government not to be fully aware, unless they had forgotten the five hundred petitions which had been laid, last session, on the table of the House. He professed the most unqualified respect for the talents and character of ministers, and yet could not but view their having failed to propose some specific measure on this subject as a dereliction of their duty. He conceived the depressed state of the landed interest could be ascribed only to the impolitic conduct of the legislature. The importation of produce, from foreign countries, to be sold in the English market

at a price with which the home grower could not compete, and our return to a metallic currency, were the main causes in which agricultural distress originated. The hon. baronet thought himself entitled to call the attention of government once more to the subject.

Mr. Canning, while he was far from finding fault with the hon. baronet for having availed himself of the opportunity, which had presented itself, of alluding to the question of agricultural distress, thought he did his majesty's ministers injustice, in supposing that they had not, on all occasions, been anxious to adopt any practicable measure of direct relief, and not still look with the most sincere sympathy to distresses, which every one must acknowledge and deplore. If ministers had been able to devise any practicable plan of relief, they would have been the first to propose it; but as they were convinced that no such plan was within their reach, they were surely justifiable in not deluding the country, by making promises which they knew they could not perform. He assured the House, that the subject had never been lost sight of by the members

of administration. He had for a time been sanguine of success; but having been ultimately compelled to abandon a certain measure, which he once imagined might have been beneficial, he resolved not to agitate again, what could end only in disappointment, and have the effect of exciting hopes which it would be impossible to realize. Accordingly, while he professed that government did not see their way to any direct measure for immediate relief, he assured the hon. baronet that any proposal of his own, bearing on the question, would be received on the part of the government, as it certainly would on the part of the House, with the most anxious and deliberate attention. The hon. gentleman was unwilling to enter into the disputed point, whether the remission of taxes would afford direct relief, or whether its remedial effect on the agriculture of the country would only be collateral. He said that government had, at all events, thought it their duty to consider this question, and consequently, that the only measure directed to the relief of the agriculture of the country would be comprised in the intended remission of direct taxation, which would soon be submitted to the consideration of the House. And he trusted, that, as the landed interest was the foundation of all others, it would gradually advance with them, and that the relief thus brought, though not so rapid and immediate as might be desired, would be steady and permanent in its operation.

Mr. Curwen lamented that ministers could promise no relief to the agricultural interest. Although he did not hesitate to say that the country was in a more perilous situation than any in which it had hitherto stood, he saw no prospect

of amelioration except from a direct remission of the taxation which immediately affected the landed interest, and, for this purpose, he proposed charging the funds with a fair proportion of the poor rates. He maintained that this would be beneficial even to the holders of funded property, in as far as it might possibly avert a crisis, which, once arrived, would be more fatal to the fundholders than to any of the other interests taken singly. He allowed, that some benefit would arise from a diminution of taxation, but he insisted strongly on the necessity and justice of making the burdens fall equally on all classes of the people. He thought it much better to have this done at once, than to wait till the agricultural interest should be ruined. He thought that the present distress arose, not from over production, but from lessened consumption, which would operate a diminution in the quantity produced, till that would be insufficient for the demands of the country. In the course of these remarks, the hon. gentleman stated more than once, that he, by no means, wished to break faith with the public creditor. He only thought it unfair, that one interest in the country should be overladen, while another bore no part of the burden.

Mr. Robertson went into an argument, to prove that the system of borrowing on ruinous terms, which had been adopted by this country for many years, was one great cause of the evils the people were now labouring under. It was quite evident to him, that it was this system of credit, which had plunged the country into those difficulties of which all classes were complaining: and he intimated his

intention of bringing forward a motion for the reduction of the interest on the national debt.

The discussion was resumed, however, on the 26th of February; when Mr. Whitmore brought under the consideration of the House the laws relating to the trade in Corn. Having stated that he differed entirely from those who thought that the discussion could tend only to increase the despondency which had already diffused itself so widely, and having removed the objection as to the time of discussion, he went on to show that the main feature of the question affecting the agricultural interests, was the principle of fluctuation. In illustration of his view, he supposed that a law, similar to the corn bill, had been adopted in Holland, which was an importing country, to a considerable extent. Then, in Holland there would be high prices for some years—a great appropriation of capital to agriculture—poor soil brought into cultivation—the breaking up of old pastures. Supposing the extent of territory sufficient, there would at length be, in average years, a produce sufficient for the consumption of the country; and, it was quite obvious, abundant crops would give considerably more than the necessary consumption. The superabundant quantity so produced would fall back on the market; the produce would, in consequence, fall in price, until it came down to that of the corn in the exporting markets. The result would be very considerable distress—destruction of capital—destruction of soil on account of the abstraction of manure—poor land forced out of cultivation—and, instead of abundance, there would be in two or three years a positive deficiency.

VOL. LXV

Thus it appeared, that such a law could only operate, either in producing a superabundance and glut, which brought ruin to the farmer; or a great scarcity, which, in the end would be as injurious to the farmer as to other classes of the community. He drew this state of things with respect to Holland, and pointed out the analogy which his supposed case bore to that of England. Besides, he had documents to establish a fact, of which he had long been persuaded—that the consumption, now apparent and arising out of the low prices, was going on at a rate which could not be long supported. He referred to a letter which he had received from a Mr. Cropper of Liverpool, to prove that the consumption was going on at a far greater rate than the growth. He thought the political tendency of the present law was to subject the country to the greatest peril. If it did not answer its purpose, it was contemptible. If it did answer its purpose, the effects of it would be totally at variance with all that had hitherto been considered as practically beneficial. With regard to the operation of the existing law upon trade, the effects of it must be in the highest degree injurious to those manufactures which it ought to be our object to promote. The alteration, which he proposed should take place in the present law, was a reduction in the import price of two shillings a year, until it should fall to sixty shillings; because he was convinced that the quantity of foreign corn, which might be brought into our markets, when the price was so low as 60s., would be but trifling.

Mr. Curwen condemned the unwise course, which the hon. member had taken in introducing this question. Though he by no means

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approved of the law as it now stood, yet, he believed it to be the best we could have under existing circumstances. He thought what had been suggested by the hon. gentleman would effect no sufficient relief; but that a remission of those taxes, which bore most heavily on the poor, would be the surest means of re-establishing the prosperity of the country. "Take off the candle-tax," said the hon. gentleman, "which is one of 10s. yearly to every poor man in the country. Then instead of the cottager's being compelled to give 7d. for his candles, he would pay only 3½d. for the pound. Take off, also, the tax from the windows of his cottage. It should be entirely remitted to every cottage of a rental under 5l.; and this measure would relieve almost every labouring cottager. Then take off the remaining tax on malt. The taxation on the preceding articles would amount to about 18s., and adding the malt, you would cause so material a reduction, that the effect would soon be to call into cultivation millions of acres that are now unprofitable." He did not wish for great protecting prices, but he wished to see every acre of land, that could be made available, under cultivation. He hoped that funded property would be made to contribute its quota to the necessities of the state in the shape of taxes.—Mr. Bennett, of Wilts, could not accede to the motion. He laid before the House the result of some very careful calculations, to show what beneficial effects were to be derived from persevering in a reduction of taxation.—Mr. Wodehouse argued, that any calculations as to the price at which corn could be imported must be fallacious. He could not agree to

the motion.—Mr. Huskisson did not attempt to follow the very desultory discussion which had taken place since the speech of the hon. mover. He expressed his satisfaction at the fact, that the country could, consistently with public credit, make a considerable remission of the burthens which weighed upon the people; but he thought the hon. member for Cumberland had been very unfortunate in the selection of his two cases of taxation. The tax upon candles was very inconsiderable, and the labourer in agriculture, unless his house had more than six windows, paid no window tax at all. So that the window tax, and the tax on candles, of which Mr. Curwen proposed the repeal, were far from being severe in their operation. He did not think the present a fit time for making any alteration in the existing corn laws. The present system might possibly, by a great alteration in prices, be productive of serious consequences; but all immediate fears of such evils were groundless. He believed we had seen the worst of the low prices; for with the deterioration in cultivation (which he considered the most serious evil to the country), and the increase of consumption, he thought there was a fair prospect of that rise of prices which would materially serve the agriculturists without being a disadvantage to the other portions of the community. He thought a system of law which would continue the monopoly, would not be a permanent advantage to the agriculturists, but would considerably increase the burthens of the manufacturers. We should wait for the re-action of one of the causes of the low prices; and then, by a modification

of the law, we might have a regular and moderate importation, which would be the best regulator of prices that could be adopted. Fully impressed as he was with the justness of the principles of his hon. friend, he entreated him, for the present, to withdraw his motion,

Mr. Ricardo hoped his hon. friend would not withdraw his motion. For his own part he certainly would not oppose it, because he should be glad of any approach to a free trade in corn. But he thought his hon. friend did not go far enough; for he had left the mischief of a fixed price. Both his hon. friend and the right hon. gentleman had laid down the true principles of a corn law; namely, that a protecting duty should be imposed on foreign corn, equal to the peculiar burthens borne by the grower of corn in this country. But, when this was done, a fixed price should be done away altogether. In fact, his hon. friend had seemed a little uncertain as to his fixed price. He had taken it at 60s.; but he had stated, that if foreign corn could be imported at 55s., he should have reduced it to that. He thought he had committed a great error in taking any fixed price at all. A duty should be imposed on corn imported, equal to the peculiar burthens borne by the grower of corn; and, in his opinion, a drawback or bounty to nearly the same amount should be allowed on corn exported. Then, and then only, would corn be kept at a price nearly equal in this, to what it was in other countries. If there was an abundant harvest, it would find a vent by means of the bounty; and, on the other hand, if there was a deficient supply, under the influence of the

duty, corn would be introduced as it was wanted, and not in the enormous quantities poured in under the existing law, when the price rose to a certain height. He should recommend, that the law for the amendment of the corn laws should come into operation long before corn had reached 80s.; and he should likewise recommend a system of duties and bounties, at first, in deference to those prejudices of which he thought we were too tender, higher than the amount of the peculiar burthens of the agriculturists, and gradually diminishing to an equality with the computed amount of those burthens. He thought the hon. member for Wiltshire quite erroneous in the calculations which he had entered into, to shew that the agriculturist paid taxes to the amount of 67 per cent. His mistake arose from his reckoning this per centage, not on the expense of growing corn, but on the rent. This he conceived to be a most unwarranted mode of calculation.

After Mr. Attwood and Colonel Wood had expressed their opinions against the motion, and Mr. Monk in favour of it, Mr. Hume declared his intention of taking the sense of the House upon it. When the House divided, there was a majority of 78 to 25 against the motion.

These complaints of the agriculturists, though uttered so incessantly, and with so much confidence, were rather the result of recollection of what was past than of observation of present circumstances. The evils which called forth their murmurs, were evidently diminishing; and by the beginning of summer, so evident was the amelioration to all, that

even Sir Thomas Lethbridge acknowledged it, and on the 2nd of June withdrew a motion on the subject of agricultural distress, which had been fixed for the 5th of that month.

It will be remembered from the tenor of some of the debates recorded in the preceding volume, that it was a favourite notion of many, that the nominal prices of all goods, and of grain, among the rest, had been lowered in consequence of the return to payments in specie, and that to this change the landed proprietors attributed all their distress. Notwithstanding their improving circumstances, they were still anxious for an inquiry into this subject; and accordingly, on the 11th of June, Mr. Western submitted a motion to the House, the object of which was, to induce an immediate attention to the state of the currency, and to examine into the effects produced by the changes that had been made in its value during the last thirty years. In doing so, he disclaimed all party views, and all idea of exclusive regard for the landed interest, which, however, had been obviously the first victim of the system which he argued against. He maintained that the change of the currency, caused by the bill of 1819, had heaped new calamities on the people, and threatened to overwhelm the landed proprietors in such embarrassments, as would degrade them from the rank which they had been accustomed to hold in the country. The landlord found it impossible to hold his tenant to the strict terms of the contract, without reducing that tenant to utter poverty; and the reduction of 30 per cent, which the landlord was compelled to give to his tenant, made

peers paupers, and the gentry of the land absolute beggars. Should any thing like a scarcity approach under our present state of diminished cultivation, even the monied classes would feel the pressure which now harassed the agriculturists alone. The change in the value of money, which, we were told in 1819, would not exceed five per cent, had turned out to be a difference of more than three times five per cent.—Mr. Western said, that there was still another most important question—the practicability of maintaining the currency adopted by us, in the various changes in our situation that might occur relatively to other countries. He was thoroughly convinced, that, with our currency, as fixed by Mr. Peel's bill, we could not possibly sustain a war expenditure at all approaching the last; on the contrary, that the first shot fired would be the signal for a second recurrence to paper. When all the rates of payment through the country had been changed; when the pay of the navy had been greatly increased and that of the army nearly doubled; when the cost of every establishment of the government had been raised to meet the depreciated currency, was it consistent with reason for government to revert to the high value of money, and yet leave all these establishments at the nominal rate of the low value of money?—Mr. Ricardo contended, that, the difference, in 1819, between gold and paper, being only five per cent, he was entitled to expect, that the change made in the currency by the bill would not exceed that amount. The Bank, however, by their manœuvres, occasioned a demand for gold which was not necessarily consequent upon it; and

so raising the price of gold in the general market of the world, they changed the standard, with reference to which our currency had been calculated, in a manner which could not possibly have been foreseen. He could not agree with the hon. member for Essex in estimating the actual alteration in the value of money at 30 per cent. He thought that the country would be able to pay just as much for the support of a war under the existing system, as it would under any system recommended by the hon. member for Essex. As a war measure, indeed, he thought a change in the value of the currency was no measure at all. It might take the money out of one man's pocket, and put it into that of another, but it could have no influence on the powers and resources of a state. — The marquis of Tichfield thought the question turned upon this issue, whether or not the greater part of the landed proprietors should quit possessions held by them and their ancestors for ages past and live as exiles in foreign lands. The noble marquis went at some length into the question, and, in conclusion, lamented, that the embarrassed state of its currency and finances had rendered the country incapable of going to war with France in defence of the rights of nations. After a few remarks, from Mr. Baring, Mr. Peel, and Mr. Huskisson against the motion, and lord Folkestone and Mr. Bennet in favour of it, it was finally negatived by a majority of 96 to 27.

Petitions were presented, and motions made in both Houses, for what was called an equitable adjustment of contracts. The substance of the doctrine of equitable adjustment was, that all who

owed money, whether the nation or individuals, should have a diminution of the pecuniary amount of their debts equal to the diminution which had occurred in the price of corn. Lord Stanhope was the most distinguished patron of this scheme of mingled madness and dishonesty; which was supported upon principles too absurd to deserve either mention or refutation.

This session was also distinguished by the further prosecution of that enlarged and liberal system of commercial policy, which had been begun in the preceding year, and which had acquired augmented patronage in the promotion of Mr. Canning, Mr. Robinson, and Mr. Huskisson. Mr. Wallace, on the 12th February, moved, that a select committee should be re-appointed, to consider of the best means of maintaining and improving the foreign trade of the country. He made this motion, not merely upon the general ground, that the commerce of the country was likely to receive important advantages from the labours of such a committee, but also upon a special reason, arising out of the circumstances under which the committee had separated at the close of last session. The House would recollect, that, when the dock system was first established in this country, certain exclusive privileges were granted to those who expended their capital in promoting it. Those privileges, however, were granted for a limited period only, and many of them were about to expire. The first to expire were those granted to the West India Dock Company; and that body, contemplating their approaching expiration, had presented a petition to parliament, praying for their further continuance. That petition had been met by

others, of which the prayer was directly the reverse; and these conflicting petitions had been referred to the consideration of the committee upon foreign trade. The committee prosecuted that inquiry with the utmost diligence, and, before the close of the session, collected all the evidence which was material to it. By the time, however, that such evidence was collected, the session was nearly brought to a conclusion; and the committee then felt, that they had neither time, nor indeed numbers sufficient to offer an opinion upon it, that was likely to prove satisfactory either to the House, or to the nation in general. That consideration led them to defer the delivery of their opinion to the present session; when they trusted that they should be re-appointed, and when they were more likely to come to a satisfactory decision. These he considered good special grounds for the re-appointment of the committee. The export trade of the country, he added, was flourishing under the alterations which they had suggested. They had released the navigation laws from the mass of useless legislation by which they had been formerly incumbered, and yet the navigation of the country had not at all diminished; nor had the effects which it had been confidently stated would occur with regard to one particular branch of our trade taken place. He had had a paper recently placed in his hands, which showed, that, instead of the Levant trade coming through Holland into the ports of this country, as had been predicted, English vessels were now actually exporting articles of that trade from British ports to those of Holland. In all the material articles of trade, there had been a conside-

table increase. The export of cotton had increased 10 per cent; of hardware, 17 per cent; of linens, 12 per cent; of woollens, 13 per cent; and the aggregate exports of 1822 exceeded those of 1820, by 20 per cent; and those of 1821, by 7 per cent; notwithstanding a deduction was to be made from the exports of one great article, refined sugar, owing to a prohibitory decree of Russia, imposing a duty of at least 35 per cent. Valuable as all the measures, to which he had been alluding, had proved to the country, they were not more valuable than the declarations which they had elicited from the government and from the House, of the real principles on which they thought that British commerce ought to rest; namely, that we ought to get rid of the old restrictive system of commerce, and to adopt one more liberal in its nature, and more beneficial to the intercourse of foreign nations with this country. After several of the members had acknowledged the obligations which the country owed to Mr. Wallace for his exertions as president of the Board of Trade, and their regret at his relinquishing that official situation, Mr. Canning assured the House that no effort would be left untried, on the part of the king's government, to replace him in an office equal to his abilities and eminent services. The committee was then re-appointed.

The Warehousing bill, the object of which was, to allow foreigners to deposit their goods in our warehouses, and to take them out for exportation without payment of duty, was likewise passed this session. It met with considerable opposition in the different stages of its progress through the House. All seemed to be satisfied of the

soundness of the principles on which the bill proceeded; but they apprehended that its machinery was such as would probably destroy all its good effect. Several members having expressed their anxiety that the bill should be as perfect as possible, Mr. Wallace, on the 21st of April, submitted several amendments to the House. The first respected the bond required from the captains of ships. As that was found to work great inconvenience to trade, he proposed to substitute the bond of the owners. Another alteration related to goods removed from one port to another. At present, the bond of the first owner of the goods hung over him, until they were delivered and regularly sold. He proposed to cancel the bond of the first owner in such cases, and take that of the purchaser instead of it. Another alteration regarded goods, which, being imported for exportation, might find a better price by being put into the home market. He would provide for that upon paying the difference. Another alteration would enable ship-owners to transfer stores, which had not been consumed in a voyage, to another ship going on another destination. The next alteration went to extend the regulations on shipping coffee, which now applied only to plantation coffee, to all other kinds of coffee. He had extended the same regulations to rum, at the suggestion of the hon. member for Bristol. Another regulation affected the warehousing of East India goods, which took place at present under the 46th Geo. 3rd. That act was to be repealed by the present bill, and it was necessary to make some provision in its stead. The last applied to the Irish linen trade, in which it

had been intended to make some relaxation of the existing laws. The intention, however, had been mistaken; and the state of Ireland made it desirable that no irritation, however erroneous the grounds of it might be, should be added to the causes of the present disturbances. It was desirable, therefore, to replace that trade upon the same footing of exemptions as before.

These amendments were agreed to, and the bill was passed.

The Reciprocity of Duties bill, which went to the repeal of much of our system of navigation laws, was read, on the 4th of July, for the third time, upon the motion of Mr. C. Grant.

Mr. Robertson opposed the bill. He contended, that, if the present laws were repealed, foreign vessels, which already possessed some advantages over our own, would obtain a preponderance that would be utterly destructive of British trade. He could not conceive it possible, that the legislature would give its consent to a bill so ruinous as the present.

Mr. Wallace, in reply, insisted that the measure now brought in had been rendered indispensable by the similar proceedings which other European commercial powers had adopted. Under the present system, common to the European powers in question, the only means of meeting the heavy duties which they had imposed on our goods and shipping, or of being admitted with other nations to participate in the benefits of their commerce, where the duties were low, was, in all possible respects, to place our duties upon a footing of perfect reciprocity with theirs. It had been urged, that foreign nations had great advantages over us, because they could build ships at a

much cheaper rate than we could ; but this advantage was counterbalanced by the fact, that British vessels were generally of greater capacity than they stood registered at ; and, consequently, paid less duty in foreign ports. Upon an average, again, it would be found, that the wages of British seamen were cheaper than those of foreign sailors, all charges being taken into the account. From the lords' report it clearly appeared, that the ships of Norway, Sweden, Russia, Prussia, France, and Holland, could not compete with English ships for cheapness of sailing. It was equally clear, on the same valuable authority, that, upon all long voyages, such as those from the coasts of Africa and Asia, from India, the Brasils, and the West Indies, freights were always cheaper in English bottoms than in the ships of Holland, France, or Denmark. He considered the diminution in the number of British ships employed, which the hon. member had regretted, a positive advantage to the shipping interest ; for he had reason to know, that, at the commencement of the peace, there were so many British merchantmen, that this species of property became, of necessity, quite depreciated. It was impossible that the vessels could all find any thing like advantageous employment. At that period, he had heard nothing but complaints on the score of their numbers ; and he believed it to be for the general benefit, that, since then, many of them had worn out, and a vast number had been sold. Now, the result of all this had been, that, as the numbers had decreased, the hire had risen, so as at length to afford the owner a remunerating price. It was, however, satisfac-

tory to know, that the shipping trade had increased very considerably since last year. In 1822, the number of ships employed was 18,786 ; their tonnage, 2,263,000 tons. In 1823, the number of ships employed was about 20,000 ; their tonnage, 2,390,000 tons. So that the increase in one year was nearly 1,400 in the number of ships, and 127,000 tons in the tonnage. The mode of equalising our duties with those of other countries was safe, as regarded our shipping : and if so, it was obviously the least invidious method of preserving those advantages in our commercial relations which we already possessed.

Mr. Ricardo and Mr. Huskisson supported the bill, and Mr. T. Wilson and Mr. Marryat opposed it. It was passed by a majority of 75 to 15.

The improvement of our foreign trade was not the only object which the ministry had in view by acting on liberal principles of political economy. They showed themselves willing to remove several prohibitions, which seemed to abridge the comforts of the lower classes of the community. Accordingly a bill was proposed and carried through, the main object of which was, to afford the poorer classes an improved sort of beer at a cheaper rate than they had been accustomed to pay for it. This measure, by the increase in the consumption of beer and malt consequent upon it, would likewise benefit, it was supposed, the agricultural interests. There were existing, at the time, two duties payable on two kinds of beer ; the one was a duty of 10s. per barrel on strong beer ; the other, a duty of 2s. per barrel on table beer. Formerly there had been an intermediate

duty upon an intermediate quality of beer. It was subsequently found necessary to give that up; because, on the one hand, it allowed considerable opportunities for evading the higher duties, and on the other, there arose a great prejudice to the consumer. It was obvious, that persons, having two qualities of beer at different rates of duty in their cellars, might mix them up, and sell the composition as if all the beer had paid the high duty, and thereby the revenue suffered, while the consumer was far from being a gainer. In short, he paid full duty for a very inferior article. The consequence of doing away this intermediate quality of beer was, to compel the poor man, who could not afford to brew his own beer, to have recourse to that of the highest quality and rate of duty. It was therefore desirable, the chancellor of the Exchequer thought, to revert again, upon some fair system, to an intermediate quality of beer. But means must be taken to prevent fraud. It was right to fix some price, beyond which the intermediate duty should not be carried. It seemed also necessary to restrain the sale, so far as to prevent the intermediate quality of beer from being consumed on the premises where it should be purchased. The plan proposed was, that it should be competent to any person to take out a licence for the sale of beer or ale, of quality not exceeding in price 27s. the barrel, the duty on which should be only 5s. per barrel, on condition that the article should not be consumed on the premises of the seller. It would be a sufficient advantage to the brewer and vender of the intermediate quality of beer, to be allowed to sell any quantity under their

licences down to a pint. They would have considerable advantages over the publican, because they would not need the licence which the latter was required to take out by the law, and would not be under the control of the magistrates. The small beer at 18s. was brewed at the rate of seven barrels from a quarter of malt. The modified duty would allow only five barrels to the quarter, and with 5s. a barrel duty, the beer, which would be a reasonably good article, might be sold for 2½d. per pot. This was a fair rate, and ought to produce a wholesome beverage for those who were now unable to pay for the beer charged with the high duty.

The Chancellor of the Exchequer laid before the House three resolutions to accomplish the purposes which he had thus explained. The resolutions were agreed to.

On the 9th of May, Mr. T. Wilson presented a petition from the silk-manufacturers of London and Westminster against the statutes of the 18th, 32nd, and 51st of the late king, usually styled the Spitalfields' acts, which empower the magistrates to fix the wages of journeymen silk-manufacturers, and impose other restrictions highly injurious to the trade.

Mr. Huskisson fully agreed in the propriety of repealing these acts. He could account for the existence of such statutes only by their having been passed at a time when the silk trade was almost confined to Spitalfields. He moved for leave to bring in a bill for an alteration of the law. When a bill to that effect was brought in, however, the operative weavers, afraid lest it should have a tendency to lower their wages, pre-

presented to the House strong representations against the proposed measure. Several members called for delay, and wished the subject to be referred to a committee of inquiry. No individual defended the principle of the regulations which were to be repealed, and yet Mr. Huskisson's bill was finally carried through the House of Commons only by a majority of 9. Although supported by lord

Liverpool, in the House of Lords, it met with strong opposition from the lord chancellor; and, by his influence, so many amendments were introduced into it, as to destroy altogether its original character. Towards the end of the session, it was sent back to the Commons with these amendments: but its friends disowned it in its new form; and the measure dropped.

CHAP. VII.

Ministerial Exposition of the Financial Situation of the Country—Repeal of some, and Diminution of others, of the Assessed Taxes—Ministerial Misrepresentation of the Amount of the Surplus Revenue—Improvident Contract with the Bank for the Payment of part of the Naval and Military Pensions—Bill regulating the Reduction of the National Debt—Budget—Amount of Taxes reduced since the termination of the War—Mr. Maberly's Motion respecting the Redemption of the Land Tax—The Tax on Foreign Wools—Motion with respect to the Office of Lieutenant General of the Ordnance.

MR. Vansittart, now lord Bexley, left to his successor a much more agreeable duty, than that which it had been his own lot to discharge. Hitherto, the government, pressed by the necessity of maintaining the revenue at a level adequate to the exigencies of the state, had been obliged either to resist every proposed remission of taxes, or to concede it ungraciously. Circumstances were now altered. The expenses had been considerably diminished: such had been the increased productiveness of many branches of the revenue, that, notwithstanding the late reduction of several taxes, the total amount of the income of the state, had been little impaired: and the Chancellor of the Exchequer found, that it was at length in his power to come forward spontaneously and propose an important diminution of the public burthens.

The ministers did not permit much of the session to elapse, before they exhibited themselves in this gracious light. On the 21st of February, the Chancellor of the Exchequer, in the committee of Ways and Means, gave an exposi-

tion of the financial circumstances of the country. He stated, that in the last year, the total revenue amounted to 54,414,650
The total expenditure to 49,499,130

The surplus to £4,915,520

As to the present year, his estimate was, that the revenue, after allowing for the loss which it might be expected to sustain by the full operation of the reduction of taxes effected in the last session, would produce, from the same sources as were available last year, not less, and perhaps somewhat more, than 52,200,000*l.*, to which was to be added 4,800,000*l.*, to be received from the trustees of half-pay and pensions. The total therefore would be about 57,000,000*l.* In this estimate he rated the Customs at 10,500,000*l.*, that branch during 1822 produced 10,662,000*l.*: but there was to be deducted about 80,000*l.* of tonnage duty received in the first half of 1822 (prior to its abolition), which would no longer be levied. The Excise of 1822 amounted to 27,271,668*l.*: it lost by the reductions of last year, no less a sum than 1,576,000*l.*; to which was to

106] ANNUAL REGISTER, 1823.

be added in the present year all the additional loss arising (as in the case of the tonnage duty) from the full operation of those reductions, which, in 1822, applied only to a limited portion of the year: Mr Robinson, therefore, was not disposed to estimate the Excise at more than 26,00,000*l*. The stamps he took at 6,600,000*l*. which was something less than last year: the post-office at 1,400,000*l*. being less than last year by about 28,000*l*.; and this he did, only because he was unwilling to overstate any thing. The assessed taxes and land-tax in 1822, amounted to 7,217,969*l*.: but, in the course of last session, the hearth and window taxes of Ireland were abolished, and consequently, towards the termination of the year, some loss was sustained upon that head: now, however, the whole of these taxes was to be deducted, and he therefore rated the assessed taxes and land-tax at no more than 7,100,000*l*., of which the assessed taxes would be 5,900,000*l*., and the land-tax 1,200,000*l*. To these larger branches of the revenue were to be added various miscellaneous items, amounting to 600,000*l*. The result, then, of the whole calculation was as follows:—

Customs	10,500,000
Excise	26,000,000
Stamps	6,600,000
Post Office	1,400,000
Assessed Taxes ...	5,900,000
Land tax	1,200,000
Miscellaneous....	600,000

£.52,200,000

On the other hand, the whole of the expenditure was estimated at 49,852,786*l*. which was composed of the following charges:

Total charge of funded unredeemed debt, including interest, long annuities, and management	£.28,124,786
Other charges on the consolidated fund, such as civil-list, pensions by act of parliament, and various items of that description	2,050,000
Annuity to trustees for half-pay and pensions	2,800,000
Army.....	7,362,000
Navy.....	5,442,000
Ordinance	1,380,000
Miscellaneous.....	1,494,000
Interest of Exchequer bill	1,200,000
	<u>£.49,852,786</u>

The result, then, was that taking the revenue at	57,000,000
The expenditure at	49,852,786

The surplus would be..... £.7,147,214

Of this surplus five millions were to be applied to the reduction of the debt; the residue, to the remission of taxes. The imposts, which had been selected as most proper to be lessened or abolished, were the assessed taxes on windows, houses, horses, carriages, and servants. Among these, the first item repealed was the tax upon persons employed in trade and husbandry, who might also be occasionally employed in some other menial capacity, such as the care of a horse: its amount was about 37,200*l*. The second was the tax upon occasional gardeners. That duty had doubtless been imposed under the notion that gardening

was a luxury, and a mere enjoyment of the rich ; but its effect had been, to deprive the poor of much casual employment, at seasons when it would be most desirable. A gentleman could not have a poor man to turn a walk, or to trim a flower bed in his garden, even for a single week, without being compelled to pay, for his charity ; and though the tax was only 10s. for each person, it was very irksome to be called upon to pay for giving this sort of employment to the poor. The tax produced 19,700*l.*, and was to be abolished entirely. The next item—that of the lower class of taxed carts, was also to be abolished : it amounted to 9,300*l.* A similar fate was allotted to the 3*s.* duty upon ponies and mules under thirteen hands high, employed by persons in trade and husbandry, which produced 4,480*l.* The last of the small duties thus entirely done away with, was that of 3*s.* upon horses, employed by small farmers, who were engaged in trade. Its amount was about 6,500*l.*

With respect to all the remaining taxes upon horses, carriages, and servants, the Chancellor of the Exchequer proposed a general reduction of 50 per cent. The pecuniary amount of this reduction was estimated as follows :—

On male servants	£.159,500
Clerks and shopmen of traders	98,050
Four-wheeled carriages	145,000
Two-wheeled ditto ..	98,000
High taxed carts	17,650
Horses for riding or drawing	324,000
Ponies under thirteen hands high, the high duty	9,100
Bailiffs' horses	1,050

Butchers' ditto	4,400
Horses and mules, lower duty in agriculture and trade jointly, and trade wholly ..	72,500

With respect to the tax on windows, the general principle, upon which Mr. Robinson proposed to proceed, was a diminution of 50 per cent. There was, however, one description of windows, which he wished to relieve entirely. The windows of shops and warehouses, detached from a house, were already exempt ; and his wish was, to extend this exemption to the ground-floor windows of shops, whether attached to the house or not. The total reduction upon the head of windows, was estimated at 1,205,000*l.* ; and the total reduction upon the whole of the assessed taxes, about 2,200,000*l.*

It was further proposed to repeal the whole of the assessed taxes in Ireland. The diminution thus occasioned, amounting to about 100,000*l.*, would, it was expected, be compensated by some new modifications of the Customs, which were intended to be carried into effect in that part of the empire.

This communication of the financial plans of the ministers was received with loud applause by both sides of the House. Mr. Ricardo said, that he thought, that the science of political economy, which in the preceding session had been so frequently attacked, had never before had so able an expositor in that House, as it had now found in the person of the chancellor of the Exchequer. Upon one point, however, Mr. Ricardo differed from Mr. Robinson ; and that was, as to the amount of our surplus revenue. "The right hon. gentleman," said Mr. Ricardo,

"had introduced into his surplus of 7,000,000*l.*, a sum of 2,000,000*l.* to be received; he would like to know from whom? Could the right hon. gentleman himself tell? On the one side of the account he had put an amount of 2,800,000*l.* to be paid for pensions and half-pay; and on the other side, he had stated, that he was to receive 4,800,000*l.* from the trustees, whoever they might be, who were to pay such pensions and half-pay; and of these two items, the balance was 2,000,000*l.* to be repaid, of course, to these trustees or commissioners themselves. Undoubtedly, therefore, from this assumed surplus of 7,000,000*l.* of actual income over expenditure, there must be deducted these 2,000,000*l.*, which the sinking fund itself was to supply. It is this view of the subject was correct, the right hon. gentleman, when he should have carried his plan into effect, of giving the proposed relief to the country, would actually leave us with a clear sinking fund, not of 5,000,000*l.*, but of 3,000,000*l.*" Of the accuracy of this remark of Mr. Ricardo, no doubt can be entertained: for the estimated revenue of 57,000,000*l.* includes an item of 4,800,000*l.*, all of which, except 2,800,000*l.* was a loan from the trustees of half-pay and pensions.

The proposed reductions of taxes were carried into effect by passing the necessary bills.

The permanent annuities for a fixed number of years, which had been created for meeting the charge of the naval and military pensions, had not found any purchasers in the former year. Now, however, the Bank of England contracted for the purchase of part of them. The contract was to last for five years and

a quarter, and was to conclude on the 5th of July, 1828. The basis on which it was formed, was, that taking the long annuities at the price on which they were on the 1st of March, the day on which they closed, these new annuities were to be estimated at a proportional value. On that day, an annuity of 1*l.* for 36 years and three quarters, was worth 18*l.* 17*s.* 9*d.*; and the calculation was, that the interest on that sum was the same as 4*l.* 2*s.* 1*d.* per cent. The total sum, which the Bank would have to advance in the 5½ years, amounted to 13,089,419*l.* As, however, it was not to be advanced at once, but by instalments, it was calculated to be the same as if the Bank advanced at once 11,883,194*l.* If that sum had been advanced at once, then the permanent interest would have been 487,700*l.*; but as the plan was to give an annuity for 44 years at the same rate of interest, it would amount to 585,740*l.*; and on that arrangement the treaty was concluded. The negotiation began on the 2nd of March, was approved by the proprietors of Bank stock on the 20th of that month, was reduced into a formal contract on the 27th, and ratified by an act which received the royal assent on the 2nd of May. This act was not passed without keen opposition. In the Commons the third reading was carried by 140 against 91. In the Lords, it was opposed by the marquis of Lansdown, lord Ellenborough, and lord King. Nor did the latter at all exaggerate the absurdity of the measure, when, to show the folly of the principle on which it proceeded, he jocularly moved as an amendment that the following clause should be added, "and whereas the present gene-

tion and posterity may derive great benefit from extending the principle of the aforesaid act, wherein the principle of a sinking fund is properly sustained by combining the same with the system of loans, be it enacted, that the lords commissioners of the Treasury may have power, in order to increase the revenue, to raise from the Bank any sum not exceeding 10,000,000*l.* a year, for the period of a hundred years, by the sale of deferred stock, the interest to commence from April 1823."

We showed in our last volume the delusive principles of this plan, and the financial disadvantages attending it. It would, however, be unfair to make Mr. Robinson responsible for the demerits of a scheme, which must be regarded, not as sprung from him, but as a favourite baiting bequeathed to his gratitude and friendship by his predecessor in office. At the same time he deserves some blame for carrying it further than Mr. Vansittart had done. The latter, much to his mortification, had left it a mere pame as a contract between the Treasury and certain trustees of the public money—a contract, in short, of the nation with itself. This nominal contract was converted by Mr. Robinson into a substantial agreement with the Bank, and at a moment, too, most disadvantageous for the operation. The transaction was in substance a loan; and what was the moment chosen for this loan? Why, the very moment when the public credit had sustained a sudden depression, and when the government was therefore obliged to offer terms remarkably high. The terms were fixed by the then price of the long annuities; and that price was about a tenth lower than what it

had been a year before, and a fifth lower than what it was a year afterwards. The only supposition, on which the conduct of the ministers in this affair can be justified as reasonable, is, that they expected the funds to fall to a permanently lower rate than their prices on the 1st of March.

Another financial regulation introduced by Mr. Robinson was of a very different character. The operations of the sinking fund had been encumbered with a variety of machinery, of no use except to give an air of complication and mystery to a matter which in itself was very simple. The Chancellor of the Exchequer resolved to do away with all these petty contrivances, and to place the reduction of the national debt on its only proper basis—the regular payment to commissioners of a fixed sum, which was to be applied exclusively to that purpose. To accomplish this end, he brought forward a bill, founded on resolutions which had been approved by the House. By this bill it was provided, that the payment of all sums of money, charged upon and issuable out of the consolidated fund of the united kingdom of Great Britain and Ireland, to the commissioners for the reduction of the national debt, should upon and after the 5th of April 1823, cease and determine. All capital stock (except the capital stock arising from donations and bequests towards reducing the national debt), and all annuities for terms of years, standing on the 5th of April, 1823, in the names of the commissioners for the reduction of the national debt, in the books of the Bank of England, or of the South Sea company, or of the Bank of Ireland, either on account of the sinking fund, or for

the purchase of life annuities, were to be cancelled from and after the 5th of April 1823; and the interest or dividends, which would have been due and payable on such capital stock or annuities upon and after the said 5th of April, were to cease to be issued from, or charged upon the consolidated fund. For the future there was to be set apart and issued out of the consolidated fund, to be placed to the account of the commissioners for the reduction of the national debt, the annual sum of 5,000,000*l.* to be applied by them towards the reduction of the national debt; which sum was to be charged upon the consolidated fund, and issued by equal quarterly payments; the first quarterly payment to be charged upon the said consolidated fund on the 5th of April 1823.

The bill likewise repealed so much of two acts of the 53rd and 56th years of his late majesty, relating to the redemption of the national debt, as required, that, whenever such an amount of capital funded debt of Great Britain and Ireland respectively should have been transferred to the commissioners, as should be equal to the whole capital, and which should have produced an interest or yearly dividend equal in amount to the whole annual charge in perpetual annuities of each loan contracted since 1786, a certificate and declaration thereof should be made by the commissioners, and the amount of the public debt to which such certificate and declaration should relate, should from time to time be deemed to be wholly satisfied and discharged, and an equal amount of capital stock, standing in the names of the said commissioners, should be considered to be redeemed, and should from time to time be can-

celled. To regulate the amount of the sinking fund, it was provided, that no capital stock, or annuities for terms of years, which, after the 5th of April 1823, should be placed in the names of the commissioners, in the books of the Banks of England or Ireland, or of the South Sea company, should be cancelled (except the stock placed in their names for the redemption of the land tax), until the interest of the debt redeemed by the application of the said sum of 5,000,000*l.* and of the growing interest thereof, should, together with the said sum, have accumulated to a sum, the annual amount whereof should not be less than the one-hundredth part of the then existing unredeemed funded and outstanding unfunded debt in exchequer bills unprovided for, taken together; and that any capital stock or annuities for terms of years, which should be placed in the names of the said commissioners on account of the sinking fund, or for the purchase of life annuities, after that fund should amount to the one hundredth part of the unredeemed funded and unfunded debts taken together, should be liable to be cancelled at such times and in such manner as parliament should from time to time direct. A separate account was to be kept in the books of the Bank of England, of the sums already given by way of donation or bequest towards reducing the national debt, and of all sums which should thereafter be given or bequeathed for the like purpose, and the interest or dividends which should accrue on all stock arising therefrom were to be applied in the purchase of public annuities, composing the national debt, for the purpose of fulfilling the directions of the person or per-

sons giving or bequeathing the same, and to no other purpose whatever.

This bill excited much discussion in the House of Commons. It was opposed on two grounds. Some resisted it on the principle, that no sinking fund ought to exist, and that any surplus of revenue which we might enjoy, ought to be applied forthwith in a remission of taxes. Others, among whom were Mr. Baring, and Mr. Ricardo, approving of the substance of the bill, thought, that, as the real surplus of revenue was three millions, and not five millions, the present amount of the sinking fund should be taken at the former sum and no more. An amendment to that effect, proposed by Mr. Baring, was rejected by only 100 to 72.

The true statement of the case is—that the country, comparing the actual receipts and expenditure, had a surplus of five millions, but two millions of that sum were obtained by our making permanent, during 45 years, a head of charge which otherwise would have sunk to little or nothing, long before that time: in other words, our nominal expenditure did not include the whole actual charge of the year, but part of that charge was met by a loan which was to be repaid by a long annuity.

The bill passed through the lords without any division.

No discussion, exciting any interest, was produced by the estimates of the different departments; though Mr. Hume was still assiduous in pointing out supposed possible minute reductions.

On the 2nd of July, the chancellor of the Exchequer opened the budget. He had stated, at the commencement of the session, that the total amount of the supply would be

VOL. LXV.

about 16,600,000*l.*: but it was now found to exceed that sum by 2 or 300,000*l.* This excess arose, not from any increase in the estimates for the army, the navy, or the ordnance, but wholly under the head Miscellaneous Expenses; and the items, which caused it, were such as had not entered into his contemplation, when he at the commencement of the session addressed the House on the subject. One of these items was a vote of nearly 60,000*l.* for the Stationery Office, and was rendered necessary in consequence of arrangements lately made for supplying the public departments with stationery, which, though attended with an extra charge at present, would afterwards conduce to great economy. Formerly, each department provided itself with whatever stationery it thought necessary; but an alteration had been made, by which no stationery was to be furnished, except according to particular samples approved of by the Stationery Office. By that means, the total expense (which antecedently was divided among the different public departments) would come under one head. And although an increase appeared at present in the expense of the Stationery Office, there would be a corresponding saving in the expenses of all the departments under the head of contingencies. The full advantages of this alteration would not be felt this year, as the navy and military departments had provided themselves with stationery, before the new arrangement took place; but next year the public would derive considerable benefit from it. Another item, which he had not anticipated at the commencement of the session, was, the grant for erecting buildings for the

[1]

reception of his majesty's library. There was also 40,000*l.* for the harbour of Dunleary; and 15,000*l.* for facilitating emigration from Ireland. These were the items, which increased the supply beyond the anticipated amount, and raised it to 16,976,743*l.* There was, however, more than a corresponding increase in the amount of the ways and means. The way, in which these expenses were met, was by three millions of what, in the printed papers, were, by mistake, termed annual malt taxes, though they were, in reality, duties on sugar and other articles. Then there was the lottery, 200,000*l.*; 126,873*l.*, repayment by exchequer-bill loan commissioners; and the amount of naval and military pensions, 4,800,000*l.*. The next item was 90,000*l.* to be paid by the East India Company, on account of half-pay and pensions, which required some explanation. As the East India Company had a large portion of the British troops employed in protecting their territory, it had appeared reasonable that they should defray some part of the half-pay and pensions, with which the country was chargeable on account of the army. There was some difficulty in fixing the fair proportion which the company ought to pay; because many of those who were pensioned, or put on half-pay, while their regiments were in the East Indies, might have become entitled to those pensions, or to half-pay, before they had gone to that part of the world. The arrangement ultimately concluded was, that the East India Company should pay 60,000*l.* a year; and as they had agreed to commence their payments from May, 1822, a sum of 90,000*l.* was thus disposable for the present year.

The next item was a surplus of Ways and Means of 469,047*l.* not called for by the expenses of past years. There was also a surplus on the Consolidated Fund of 8,760,000*l.* The annual income of the Consolidated Fund might be taken at 46,000,000*l.*, and the charges at 38,000,000*l.* Of the latter sum, 28,000,000*l.* was for the charge of the Funded Debt; 2,000,000*l.* for the expenses of the Civil list and other charges; 2,800,000*l.* for the payment of the half-pay and pension annuities; and 5,000,000*l.* for the Sinking Fund; which, with a few small items, amounted in the whole to 38,500,000*l.* A surplus thus remained of about eight millions. The chancellor of the Exchequer, in making this statement, took as a criterion, not the receipts either of the last year or of the current year, but the probable receipts of next year, after deducting the amount of taxes repealed during the present session. The result of the whole was, that the Ways and Means for this year amounted to 17,385,920*l.*, and the total amount of the Supply was only 16,976,743*l.* Thus, no less a surplus than 409,177*l.* remained unappropriated; 244,150*l.* of which, it was intended to apply to the decrease of the unfunded debt. The chancellor of the Exchequer, owing to the late alterations in the distillery, had, in the foregoing statement, calculated on a loss of revenue from spirits; he had no doubt, however, but that deficiency would be soon compensated. Besides this, another surplus existed to meet passing contingencies; for the assessed taxes were nearly two quarters in arrear, and three quarters would soon be received, which would leave an additional surplus. The

chancellor of the Exchequer then alluded to the present state of the revenue, in order to shew, that he was justified in the comparison he had made of the first half of this with the same portion of last year. The account of the receipts in the first part of the present year, began on the 5th of January, and concluded on the 28th of June;

while the account for the first part of the year 1822 began on the same day and ended on the 5th of July, by which the whole of the half year came into the account; and it was well known that the last days of the quarter were by no means the least productive. In the Customs the account was as follows:—

From the 5th of January to the 28th June, 1823	4,026,661
In Bills and Cash.....	79,191
Receipt from June 28 to July 4, (16,000 <i>l.</i> per diem.)	80,000
	<hr/> 159,191
	<hr/> 4,185,852
Half year ending July 5, 1822.....	4,045,987
	<hr/>
Estimated increase to July 5, 1823	£.139,865

This was independent of the amount of tonnage duties, which produced last year a sum of 66,000*l.*, and which were now repealed. In the Excise, too, a considerable improvement had taken place in many articles, though in others the account was not so satis-

factory. The difference between the two years appeared by the following estimate of the Excise revenue for the half year ending July 5th 1823, compared with the actual receipt of the corresponding period of last year.

Payments to the 5th of July, 1822	12,125,136
Actual payments from the 5th of January to the 1st of July, 1823.....	10,571,081
Estimated payments from the 1st to the 5th of July,	658,000
	<hr/> 11,221,081
	<hr/>
Deficiency on the half year	896,655
Actual loss on the half year upon articles on which the duties have been reduced.	
Hides	135,688
Malt, including 270,000 <i>l.</i> repayment on account of stock in hand.....	450,637
Salt	465,550
	<hr/> 1,051,875
	<hr/>
Actual increase	155,820

In addition to which the repayment on account of malt duty, previously accounted for, amounted to 270,030*l.*, which is included in the above sum of 450,637*l.*; and if

[12]

116] ANNUAL REGISTER, 1823.

no such repayment had been made, the increase of revenue would have been* 425,820

The result as to the revenue derivable from Stamps, the Post-office, and the Assessed Taxes, appeared to be equally satisfactory.

While the revenue was thus improving, the ministers had also been able to effect a gradual reduction of the debt, and this re-

duction had been progressive from the 5th of January, 1823. On that day, the unredeemed debt amounted to 796,530,144l.; and the following account showed to what extent it had been reduced from the 5th of January to the 30th of June;—

By Sinking Fund { England	1,834,535
Ireland ,	172,382
Transferred for Life Annuities	334,883
Ditto, Land Tax, estimated	24,000
Ditto, unclaimed 10 years	14,432
Purchased with Unclaimed Dividends	19,100
English Debt, decreased by capital transferred to the debt in Ireland	797,138
	<hr/>
	3,196,470
Deduct Irish Debt increased by capital transferred from England	797,138
	<hr/>
Total redeemed	£2,399,332

The amount of debt remaining unredeemed was 794,130,812l. Whilst this reduction was going on, no corresponding addition had been made to the debt. Besides the capital redeemed and transferred, there was paid to the Bank, towards the redemption of Exchequer bills, per 3 Geo. 4th. cap. 66—

January 8, 1823	340,000
April 8	340,000
To be paid July 5	340,000

£1,020,000

Thus it appeared, that there had been a clear reduction of debt to the amount of upwards of 8,020,000l. The chancellor of

the Exchequer then commented on the great reduction of taxation which had been effected during the last two years amounting to 6,935,400l.; besides reductions upon some minor items, which were to be found in the bill in progress relative to Customs. One of the most important of these was the reduction of the duty on stone carried coastwise. Another circumstance which would diminish the amount of taxation, was the repeal of the Union duties in Ireland; a measure, which, though it might be prejudicial to the interests of a few individuals, would enable the people of Ireland to obtain some articles of British produce 10 per cent below the price which they at present paid for them. Including these smaller items, the reductions made in

* In this calculation, the Chancellor of the Exchequer takes credit twice for the same sum of 270,030l.

two years would amount to a total of about seven millions and a half.* He added, that it was clear, that the finances of the country were in a state of progressive improvement; and he therefore anticipated a further reduction of taxation. He was not ashamed to avow, that, in his opinion, theories, which every body allowed to be unobjectionable, might, when they were attempted to be carried into practice too rapidly, with respect to such an enormous concern as the revenue of this country, be productive of the greatest mischief. If, however, government were allowed to proceed in a moderate course, he had very little doubt that it would find, in consequence of the acts of reduction which had taken place, the means of extending relief from taxation still further. He was glad to have received from the House the most liberal support of

the views which he and the rest of his majesty's ministers had entertained; and he trusted that the House had no reason to think, that their support had been improperly bestowed. He had taken pains to ascertain the feelings of the country, with respect to the course of policy which ministers had pursued; and he had found that the people generally were completely satisfied with it.

Mr. Maberly congratulated the country on the statement which had been made by the right hon. gentleman. During the whole time that he had been a member of that House, he had never heard so open, so fair, or so candid a statement; and, indeed, it appeared to him, that the right hon. gentleman had rather under-rated than over-rated the grounds, on which he founded his estimate of the present flourishing state of the reve-

* The following is an estimate of all Taxes repealed since the termination of the War; and the amount of their annual produce.

PREVIOUSLY TO 1821.		£.
Property-tax.....	14,287,956	
War malt—England and Ireland.....	2,912,571	
Customs—Exports, tonnage, &c.....	1,165,675	
Windows—Ireland.....	235,000	
		<hr/> 18,521,202
AT SUBSEQUENT PERIODS.		
Husbandry horses.....	480,000	
Malt.....	1,400,000	
Salt.....	1,295,000	
Hides.....	300,000	
Assessed Taxes.....	2,300,000	
Ditto, Ireland, about.....	100,000	
Tonnage duty.....	160,000	
Windows—Ireland.....	180,000	
Spirits—Ireland.....	380,000	
Ditto,—Scotland.....	340,000	
		<hr/> 6,935,000
		<hr/> 25,456,202
Deduct taxes imposed anno 1819.....	3,200,000	
		<hr/> £ 22,256,202

To these must be added the minor reductions mentioned by Mr. Robinson.

nure, and of the hopes he entertained of the future diminution of public taxation. By such conduct, he would secure the confidence of the country. He was also gratified at the liberal principles, which ministers seemed to have adopted, with regard to public trade; for such liberal views would materially contribute to make commerce prosperous, and to render the nation prosperous and happy.

Such were the financial measures, brought forward by ministers, and carried into effect. It remains for us to mention some propositions which were rejected.

Mr. Maberly brought forward his favourite plan of substituting for the sinking fund, during seven years, an extinction of upwards of 41 millions of 3 per cent. stock, to be effected by the redemption of the residue of the land-tax. That redemption was to be brought about by offering more favourable terms to purchasers than were at present held out. And so far, undoubtedly, it deserved consideration. In that point of view, the only question which it raised was—whether the redemption of the land-tax ought not to be encouraged by allowing increased advantages to purchasers. But it was propounded as equivalent to a sinking fund: and, considered in that light, it was altogether ridiculous; for it had not one quality which distinguished a sinking fund. The essential attribute of a sinking fund was, that its operation, while it diminished debt, was unaccompanied with any loss of revenue. The interest accruing from the debt so redeemed was left at the option of parliament, to be applied either to a further diminution of debt, to the public exigencies that might arise, or to the repeal of taxation. But,

in Mr. Maberly's plan, there was no choice left; because, while it reduced a certain amount of the public debt, it also extinguished a corresponding portion of the revenue.

Mr. Ricardo conceived, that the scheme, considered merely as a mode of promoting the redemption of the land-tax, was advantageous; but he agreed with the chancellor of the Exchequer, Mr. Baring, and Mr. Huskisson in reprobating it as a substitute for a sinking fund. "The whole of the plan," said Mr. Huskisson, "was to transfer 41,330,000*l.* of stock from the purchasers of the land tax, provided the whole 1,239,701*l.* were redeemed and purchased:—for what was commonly called the redemption of the land-tax, was simply the transfer of a portion of the debt from one class of individuals to another. Suppose persons were found ready to-morrow morning to conclude the whole transaction, what would be the consequence?—The public charge, and the public income would be equally diminished. By the act of 1786, each separate loan was to be considered as a separate debt. For the interest of each loan a specific sum was provided, by specific taxes for that purpose. He would ask, whether, if, with regard to any loan subsequent to 1792, any given tax—the sugar duty for instance—had been appropriated to the payment of the interest on that loan, and we were now to allow that duty to be redeemed, any advantage would be gained? It would be very easy to write off all our debt in a similar way; but, when we had done so, we should be paying just the same interest, and be liable to just the same charge as at present."

Mr. Maberly's proposition was rejected by a majority of 157 to 72.

Several petitions were presented for the repeal of the duties on foreign wool: but government uniformly refused to accede to their prayer. The produce of this tax, said ministers, had risen from 250,000*l.*, to 400,000*l.*, while at the same time the exportation of woollens had upon the whole increased. It was true, indeed, that, notwithstanding the general increase, there were some parts of Europe to which the exportation had diminished; but it was very doubtful, whether that was to be imputed to the operation of this tax, or whether it did not arise from those causes which had affected the agriculture of the rest of Europe as well as our own. The question then stood thus: with respect to revenue, the tax was productive; while, as it regarded manufactures, it was not injurious. At the same time, they professed themselves willing to give up all the advantage of the 400,000*l.* a year to the revenue, provided the manufacturers would agree to the free exportation of wool; but so long as that class objected to the latter measure, they should not feel justified in giving up the tax. This, they said, was no more than fair, as regarded the interests of agriculture.

Lord Beresford had been appointed, upon the death of sir Hildebrand Oakes, to the office of lieutenant-general of the Ordnance. On the 19th of February, Mr. Hume, who had previously directed the attention of the House to the subject, moved, that, as the commissioners of military inquiry had reported, in their 13th report, that, in their belief, from the in-

formation given to them, the appointment of lieutenant-general of the Ordnance was not essential to the constitution of the board of Ordnance, in time of war; this House was of opinion, that the recent appointment of lord Beresford in time of peace, was inconsistent with the recommendation of those commissioners, at variance with the professions of economy made from the throne, and without a due consideration of the situation of the country. Mr. Ward, in reply, contended, that Mr. Hume, had misrepresented the declaration of the commissioners of military inquiry; that these commissioners had misunderstood the evidence on which they formed their opinion; and lastly, that, supposing both the hon. gentleman and the commissioners to be correct, yet such alterations had taken place in the department, such an increase had been made to the business, that it was totally impossible to attend to the recommendations of the report. Mr. Hume had said, that we ought to revert to the Ordnance establishment of 1796: why did he not at the same time compare the present business transacted by the board, with that which they had to perform in 1796? The present ordnance establishment consisted of 8,000 men; that of 1796 was 4,000. Then, there were no horse artillery; now, there was the finest body of that force in the world. Then, there were no sappers and miners; now, there was an admirably-equipped corps. In 1796 the half-pay of the Ordnance was only 20,000*l.* a year; now, it was 400,000*l.* Besides, there was the wider range of duties, which, since 1796, had devolved upon the Ordnance, from the increase of colonial business

in the East and West Indies, and from the transfer to them of the Ordnance of Ireland.

Mr. Canning confined himself to refuting some insinuations of Mr. Hume, that the office was a sinecure, which had been given to lord Beresford from parliamentary influence. He showed, that the duke of Wellington had offered it first to lord Hopetoun, and

next, to lord Hill; and that, both of these officers having declined it as too laborious, his Grace had next tendered it to lord Beresford as another of his companions in arms.

Some of Mr. Hume's friends recommended to him to withdraw the motion: but this Mr. Canning would not permit. It was rejected by 200 Noes to 78 Ayes.

CHAP. VIII.

Newfoundland and Cape Breton—New South Wales and Van Diemen's Land—Proposed Equalization of the Duties on East-Indian and West-Indian Sugar—Mr. Buxton's Motion on Slavery—The Resolutions proposed by Government on that subject—Lord Bathurst's Circular—Alarm in the West-Indian Colonies—Proceedings in Jamaica and Barbadoes—Insurrection in Demerara: its Origin, Progress, and Suppression: trials of the Conspirators: trial of the Missionary Smith—Condition of the New Settlements at the Cape of Good Hope.

GREAT and apparently not unfounded complaints were made, in the present session, of abuses in the administration of justice in Newfoundland. A motion for inquiry, which the ministers resisted on the ground that they were preparing a bill to remedy the evils complained of, was lost by a majority of 42 to 27. Some of the inhabitants of Cape Breton petitioned against the late union of that island with Nova Scotia, as injurious to their rights and privileges.

New South Wales, and Van Diemen's Land attracted a considerable share of the attention of government: and an act was passed establishing courts, and making other regulations for the administration of justice, in those remote settlements.

These subjects, however, excited little interest, when compared with the discussion of some great questions on the state of our dominions in the East and West Indies and the relations subsisting between them and Great Britain.

Sugars imported from the East Indies were subject to an extra

duty, in one instance, of 10s. per cwt., and in another, of 15s. beyond that which was payable upon sugars brought from the West Indies. On the 3rd of March, a petition was presented to the Commons from a great body of merchants, agents and ship-owners interested in the East-Indian trade, and resident in London, praying a just classification of East-Indian sugars according to their qualities, and an equalization of the duties on them with the duties imposed on West-Indian sugars. The grounds on which the justice and expediency of this alteration were defended were, that, however proper it might have been to have given the West-Indian colonies an advantage in the British market, when they were excluded by law from carrying their produce directly into the other great markets of the world, yet, now that parliament had removed the restrictions which confined their trade to the mother country, and had, by the acts 3rd Geo. 4th, cap. 44 and 45, extended their commercial intercourse with the United States of America, with independent Spanish America, and the con-

tinent of Europe, the East-Indian trade, the British empire in India, and the people of the united kingdom, ought to be relieved from the burthen of the protecting duty—that, when the protecting duty was granted with a view of securing a preference in the home market to the West-Indian planters, the main argument employed in defence of the measure was, their being excluded from foreign markets (with the exception of ports south of Cape Finisterre, under certain regulations); and consequently since the range of the world had been afforded them for the sale of their produce, and the purchase of their supplies, that preference should cease—that, continuing to the West-Indians the virtual monopoly of the home market, whilst their sugars are allowed to enter into direct competition with East-Indian sugars in foreign markets, confers an undue advantage on the former, at the expense of the latter—that the retention of the protecting duty was an injury to the people of the united kingdom, by its obvious tendency to enhance the price of sugar, an article of such general use amongst all classes of the community; and would also prove injurious to the revenue, by narrowing the consumption—that it was further highly injurious to the merchants, manufacturers, and ship-owners, engaged in the trade between this country and India, by crippling their means of successfully prosecuting their commerce—and that the use of sugar, as a dead weight to ships returning from India, was essential to the existence of the trade with that country.

It was likewise asserted, that the demand for British manufac-

tures on the part of our Indian population had greatly increased; that its further increase was limited chiefly by the difficulty of procuring returns; and that the privation of so material an article as sugar was one of the chief causes of this difficulty, and tended decidedly to check the increase of what promised to become one of the most valuable branches of British commerce—that the protecting duty, moreover, inflicted a serious injury on the great body of the people of Hindostan, who were entitled as British subjects to a fair participation in the home market, and who possessed this further claim, that they provided for their own protection and civil government; and, instead of proving a burthen to the united kingdom, increased its wealth and added to its resources—that in estimating the comparative importance of the two branches of British commerce, thus brought into competition, the immense difference in the population of the East and West Indies should not be overlooked; as the trade with the East Indies was to meet the growing demand of a population of one hundred millions, whilst that with our West-Indian colonies was confined to a population of seven or eight hundred thousand—that the opposers of the protecting duty asked for no exclusive favour, preference, or protection, but required only to be placed upon an equal footing with the West-Indians, both in the amount of duties, and in the classification of qualities; so that, if British India could produce cheaper sugar, her numerous population, placed under British protection, might not be deprived of the best means of exercising their industry, or forced to divert their trade to foreign countries; and that the

united kingdom might not lose the inestimable advantage of the exchange of its manufactures for the productions of India.

These arguments were enforced by the influence of those who were connected with the East Indies: they were, on the contrary, violently resisted by the West-Indian interest, who regarded the proposed equalization as pregnant with their ruin. And it must be confessed, that this measure, whatever may be its intrinsic merits, was brought forward at a most unseasonable moment. The West-Indian proprietors and planters were involved in deep embarrassments, which might yet rise to a still greater height: was it at such a crisis that we ought to adopt a change of policy, which could not fail to augment the present difficulties of a large and important branch of the community, who were already greatly depressed? Surely prudence recommended to wait till they were in their ordinary state of prosperity, before we adopted a course which might operate to their disadvantage.

On the 22nd of May, Mr. Whitmore moved for the appointment of a select committee to inquire into the duties payable on East and West Indian sugar. In support of his motion he showed, that the trade between Europe and India, from the earliest periods down to the day on which it had been rendered open, had always been of the same description. Drugs, spices, and silks, were imported into Europe from India, and bullion was invariably exported in return for them from Europe into India. The opening of the trade with India had, however, created a most extraordinary revolution; for the consequence had been, that a

mart had been discovered for British manufactures, on which nobody could have calculated, before it was actually found to exist. The exports of woollen goods from Europe to India amounted in 1815 to 183,430*l.*; in 1822 they amounted to 1,421,649*l.* But the most extraordinary circumstance was, the change that had occurred in the cotton trade between India and this country. Formerly we had imported certain cotton goods from India; now we were actually supplying the natives with those articles at a lower price than that for which they could afford to manufacture them. In 1815, the export of cotton goods to the eastward of the Cape of Good Hope amounted to 109,480*l.*: in the year 1822, they had increased to 1,120,325*l.* Reflecting on the distance at which we were from that country, and the low price at which labour could be obtained in it, he considered the fact of our being enabled to import the raw material into this country, to change it into a manufactured article, to export it back again to India, and then to sell it at a lower price than that at which the natives could afford to sell it in their own markets, to be one of the most extraordinary triumphs of skill and industry that had ever been recorded in the annals of commercial enterprise. We had thus annihilated, at least in the neighbourhood of the presidencies, the trade which had existed there from the earliest periods. That event might prove to be either a blessing or a curse. It would prove a blessing, if parliament should enable the natives of India to employ, in another channel, the industry which it had diverted from its former objects; but it would prove a curse indeed,

if, after destroying their manufactures, we should be guilty of an act of such gross injustice, as to refuse to take from them such articles of commerce as their industry enabled them to produce. Our commerce with Hindostan was as yet only in its infancy. There was no assignable limit to it, if we would only permit our merchants to take from India those articles which she was enabled to produce. But great as was the avidity of the natives to purchase English goods, they would be incapacitated from doing so, if they were not allowed to give their own articles in exchange for them, and consequently our commerce with them would not only not be increased, but would not even be enabled to continue in that successful state to which it had arrived. In former times there was a great importation of bullion into India, in return for the drugs and spices which she sent to Europe. Now, that importation had in a great degree ceased: and without staying to inquire what would be the effect of withdrawing more bullion from India, it must be obvious to every man, that as India did not produce bullion, all trade with it must be stopped, if it were not permitted to export its own produce. He therefore contended, that, as far as our empire in India was concerned, we were bound, by not only a sense of justice, but of individual interest, to abolish the restrictions with which the importation of East-Indian sugars into the home market was at present fettered. He then proceeded to consider the question with regard to the interests of the West-Indian islands. It had been said, that the present time was exceedingly adverse to the motion; for that it was hard

to bring it forward at a moment when the West-Indian interests were suffering so much distress. He lamented that distress as much as any man, but it was necessary here to look a little at the cause of the evil: its cause was not the competition of East-Indian sugar, nor its cure the more rigid enforcement of the monopoly enjoyed by West-Indian sugar. By one mode only could the distress be relieved,—by a general change of the whole system in the West Indies. As long as slavery existed, as long as the poor lands were made to produce sugar, as long as freights continued so high in consequence of overcharge, so long would the West Indies be distressed. The great grievance was the slave-system, which increased so largely the cost of production.

The West-Indian planters, he added, seemed to assert, that they had a right—nay a chartered right—to the continuance of these protecting duties. In vain did he look for this charter amid acts of parliament and grants of the Crown. But though he could not find this charter, he found, by the search for it, a fact that was scarcely less important—namely, that the duties on East-Indian sugar had sometimes been the same as those on West-Indian sugar, nay, that they had sometimes even been less. Previously to 1803, the duties on East-Indian sugar were *ad valorem* duties, and though generally higher, were, whenever the price of sugar was considerably depressed, really lower than the duties on West-Indian sugar. Mr. Whitmore then gave an historical detail of the various measures, by which the West-Indian planters had obtained the imposition of extra duties of 10s. and 15s. on East-Indian sugar, and con-

tended, that, though they might have some claim to protection when the colonial system was flourishing in full vigour, they had none now that it was relaxed.

The motion was resisted by Mr. Ellice, and Mr. Marryatt, who argued, that the West-Indian colonies, though freed from some restrictions, were still fettered by many regulations imposed with a view to the benefit of Great Britain, and therefore had a right to some protection in the home market. They remained subject to all the restrictions regarding the supply of British manufactures. By the intercourse bill of last year, the trade was limited strictly to some articles before permitted to be imported. Nothing was lost to the British manufacturer in point of protection—nothing gained to the West-Indian planters in point of restriction. The protection to the farmers, and provision-merchants of Ireland was the same as formerly—that of the British fisheries remained untouched, and the British ship-owners were still allowed the exclusive carrying trade: restrictions which were extremely onerous to the West-Indian planter, and for which he had a title to compensating privileges. The result, it was further argued, of an equalization of duties would be a great fall in the price of sugar, and the ruin of our colonies and all the population depending upon them.

Mr. Ricardo, on the contrary, contended, that the effect of the proposed alteration would be, not to lower the price of sugars to any considerable amount, but to prevent them from rising above their value.

Mr. Huskisson opposed the motion. He agreed with Mr.

Ricardo, that, so long as a surplus of West-Indian sugar was annually imported into this country, the price of it in the market must be regulated by the markets of the world: and the East-Indians were now contending for a measure, which either would not alter the quantity of sugar imported: or if it did, would be injurious in the end to the growers of it. They had already the continent of Europe and the United States to which their sugar might be sent, and the largest export from the East Indies to all parts of the world (excluding England) in any one year, was about 4,000 tons, and (including England) about 11,000 tons. He would ask, what prevented those countries of Europe, which had no colonies of their own, from having been supplied before now with this cheap East-Indian sugar: It was notorious that France had supplied those countries from St. Domingo; and the real fact was, that, on a comparison of the prices, it was found that the supply from the East Indies would not have come cheaper into the European market. He admitted that, considering the question abstractedly, and without reference to the state of things which had grown out of the colonial policy of this country for the last century—the only point was, where, as consumers, could we get our sugars at the cheapest rate? But he denied that the question ought to be so abstractedly considered. It was to be looked at with reference to a number of complicated circumstances; and far was he from agreeing that the House might press hard upon a West-Indian, because that West-Indian happened to be an owner of slaves. That the West-Indian

was an owner of slaves was not his fault, but his misfortune : and if it was true that the production of slavery was more costly than that of free labour, that would be an additional reason for not depriving him of the advantage of his protecting duty. As for the benefit expected to accrue to India, in the shape of employment for her population, from the removal of the duty in question, Mr. Huskisson believed that those advantages were altogether imaginary. Supposing—what he did not believe would be the case—that the removal of the protecting duty would lead to an increased production of sugar in India, still the persons, who had been employed in manufacturing muslins, would not turn their hands to the cultivation of sugar. Such a transfer of labour from one course of action to another would be difficult in any country ; and in India the system of castes rendered it almost impossible. But whatever effect the reduction of duty might have upon the East Indies, it would have no operation upon the price of sugar, as regarded the consumer in this country: for as long as—whether from the East Indies or the West—we had a surplus of sugar, the price in the market of England must be regulated by the prices in the general market of the world. Whether the East-Indian sugar came to this country, or went at once to the Continent, was a matter of no importance to the home consumer, as long as there was a surplus of production. The right hon. gentleman then went into a comparative statement of the quantities of sugar produced by the old colonies in the year 1789 and at the present time; and also into an account of the different consump-

tion of this country at the same two periods. The produce of sugar in the old colonies—those ceded to England before the year 1763—had been 90,000 tons in the year 1789 ; and the home consumption in the same year had been 70,000 tons. The present production of those same colonies was 140,000 tons a year ; and the consumption of England now was 140,000 tons a year. If we had retained only the old colonies, therefore, our supply at the present moment would just have equalled our demand. He denied that the abatement of duty would bring any considerable additional supply of sugar from the East Indies. Bengal, at the present time, imported more sugar from China and from Java, than she sent to Europe. Much of the sugar, almost all indeed which now came from the East Indies, came free of freight as ballast to vessels. But if once we were to look to any thing like a considerable supply, we must freight ships with the article in a regular way ; so that a considerable addition would be made to the price. Mr. Huskisson concluded by stating, that he was willing to take off the duty of 5s, which had been imposed two years ago upon a particular sort of sugar coming from the East Indies, which was thought to be equal to the clayed sugar of the West Indies. Considerable difficulty was found in appreciating this particular sugar: The best judges were often unable to say, whether it was a clayed sugar or not. To obviate the inconvenience which the East-Indian planters suffered from having to send that sugar, uncertain whether the protecting duty charged upon them would be ten shillings or fifteen, he was disposed to do

away with that extra five shilling duty altogether.

The motion was rejected by a majority of 161 to 34.

On the 15th of May, the question of Slavery was brought before parliament, by Mr. F. Buxton, who moved as a resolution "That the state of slavery is repugnant to the principles of the British Constitution, and of the Christian religion, and that it ought to be abolished gradually throughout the British colonies, with as much expedition as may be found consistent with a due regard to the well-being of the parties concerned." The extinction of slavery, which he declared to be his object, was to be effected by ordaining that all negro children born after a certain day, should be free. The operation of this one principle would be, that slavery would burn itself down into its socket and go out. "At present," said he, "we have in our colonies, a certain body of slaves. This will be reduced by all casualties; but it will not be replenished and re-inforced by any new recruits. The number is now about a million. Next year, that number will be somewhat abated. In ten years time, it will be visibly diminished. In twenty or thirty years, time, all the young, the vigorous, and those rising into life, will be free; and the slaves will be those who have passed the meridian of their days—who are declining into age—the old and the decrepid. Every year, then, will make a considerable change; every child born will increase the one body—every slave dying will reduce the other. A few years further and you will find, only here and there, scattered over the face of the country, a remnant of slavery. A very few years further,

he too will have followed his brethren, and slavery will be no more." This course had been adopted in New York, Ceylon, Ben-coolen, Saint Helena and Colombia. It had been successful every where, and would be equally successful in our West-Indian islands.

"This," said Mr. Buxton, "is the main point. It secures, a distant, indeed, but a certain extinction of slavery. And I give notice to his majesty's ministers—I give notice to the gentlemen connected with the West Indies, that if they concede every thing else, but withhold this, we shall not relax in our exertions. The public voice is with us; and I, for one, will never fail to call upon the public, loudly to express their opinion, till justice has so far prevailed as to pronounce that every child is entitled to liberty."

With respect to the existing slaves, he admitted that he could not call for their emancipation; but the only reason was, that they were unfit for the enjoyment of freedom. If he deemed them ripe for deliverance, his moderation, he confessed, would be but small. That night, for once and for ever, he should propose to strike off their chains; nor would he wait one moment, from the conception that the masters had the least shadow of a title to their persons. But the slave was not ripe for liberty; and all that could be done for him was to mitigate the severities of his condition. The improvements which Mr. Buxton called for, and which he had previously communicated to the government, were—that the slaves should be attached to the island, and, under modifications, to the soil—that they should cease to be chattels in the eye of the law—

that their testimony should be received, *quantum valeat*—that, when any one laid in his claim to the services of a negro, the *onus probandi* should rest on the claimant—that all obstructions to manumissions should be removed—that the provisions of the Spanish law (fixing by competent authority the value of the slave, and allowing him to purchase a day at a time,) should be introduced—that no governor, judge, or attorney-general should be a slave-owner—that an effectual provision should be made for the religious instruction of the slaves—that marriage should be enforced and sanctioned—that the Sunday should be devoted by the slave to repose and religious instruction; and that other time should be allotted for the cultivation of his provision-grounds—that some (but what, he could not say) measures should be taken, to restrain the authority of the master in punishing his untried slave, and that some substitute should be found for the driving-system.

Such was the substance of Mr. F. Buxton's speech. These topics, however, were intermingled with abundant declamation against slavery—logical and scriptural demonstrations of its unreasonableness—and pictures of the cruelties with which it once was, or still might be polluted.

Mr. Canning, after deprecating the introduction of the many declamatory topics, and particularly of the delineations of cruelties that had long ceased, into the discussion of so fearful a question, contended, that the proposed resolution proceeded upon a principle, which, though true in one sense, was not true in the meaning in which it was here used. The British constitution and the Chris-

tian religion were, in their spirit, unfavourable to slavery, and had a natural influence hostile to it: but neither that constitution nor that religion prohibited slavery. The name of Christianity, he thought, ought not to be thus used, unless we were prepared to act in a much more summary manner, than even Mr. Buxton had proposed. If the existence of slavery were repugnant to the principles of the British constitution and of the Christian religion, how could he consent to pause even for an instant, or to allow any considerations of prudence to intervene between him and his object? How could he propose to divide slaves into two classes; one of which was to be made free directly, while he left the other to the gradual extinction of their state of suffering? But if the British constitution did not, in its necessary operation, go to extinguish slavery in every colony, it was evident that the hon. gentleman's proposition was not to be understood in the precise sense which he gave to it; and if the Christian religion did not require the instant and unqualified abolition of slavery, it was equally clear that the hon. member had mis-stated in his resolution the principle upon which he himself was satisfied to act. But while Mr. Canning contended against the literal sense, and too positive language, of Mr. Buxton's resolution; and while he declared his unwillingness to adopt it as the basis of our proceedings; he begged not to be misunderstood as quarrelling with the intention of the mover. He admitted as fully as the hon. gentleman himself, that the spirit both of the British constitution and of the Christian re-

ligion is in favour of a gradual extermination of this unquestioned evil: and professed himself ready to proceed to all reasonable and practicable measures for that purpose. The plan, however, of fixing a day from which, all children of slaves born subsequently were to be free, did not appear to him of that kind; and to it, therefore, he was decidedly opposed. At the same time, he abjured the principle of perpetual slavery; expressing a distinct opinion, that the progeny of slaves must not be slaves eternally, though he was not prepared to state in what way he would set about the accomplishment of the object. To some of the points referred to by the hon. mover, Mr. Canning did not refuse his concurrence. "For instance," said the secretary for foreign affairs, "he asks, if the present mode of working—that which is described by the term, driving—the slaves, by means of a cart-whip in the hand of one who follows them, ought to be allowed? I reply, certainly not. But I go further: in raising any class of persons from a servile to a civil condition, one of the first principles of improvement is in the observance paid to the difference of sexes; and I would therefore abolish, with respect to females, the use of the whip, not only as a stimulant to labour in the field, but altogether as an instrument of punishment—thus saving the weaker sex from indecency and degradation. I should further be inclined to concur with the hon. gentleman as to the insufficiency of the time allowed to the negroes for religious and moral instruction, so long as the cultivation of his provision-ground and his marketing occupy the greater part of

the sabbath." These were points on which Mr. Canning had no hesitation; but there were some others requiring more mature consideration in practice, although, in principle, he felt himself bound to say, that he agreed with the mover. He agreed with him in thinking, that what is now considered, by custom, and in point of fact, the property of the negro, ought to be secured to him by law—that it would be beneficial; if the liberty of bequest were assured to him (perhaps it might be made conditional upon marriage)—that it might perhaps be desirable to do something with regard to the admitting the evidence of negroes—that the process of the writ of *venditioni exponas*, by which the slaves are sold separately from the estates, ought, if possible, to be abolished. "The one thing," added Mr. Canning, "which I am most anxious to avoid, is the declaration of any pledge of an abstract nature; the laying down any principle, the construction of which is to be left to those whose feelings and prejudices, and passions, must naturally be awake to these discussions, and who, when they learn by a declaration of this House, that 'the continuance of slavery, and the principles of the Christian religion, are incompatible,' might imagine they saw in such a declaration, what, in abstract reasoning, they would be fairly entitled to see in it—their own immediate and unqualified emancipation. Lay down such principles I say, and those persons would have a right to draw that conclusion, and when the House had once made such a declaration, the qualification would come too late." He was, therefore, peculiarly desirous, that the

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qualification should be embodied in the same vote which affirmed the principle, and that nothing should be left to inference and construction: that even the hopes held out for the future should be qualified with the doubts, with the delays, and with the difficulties to be surmounted, before they could possibly be realized. In this spirit, and with this view, he submitted to the House three resolutions:—

1. That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population of his Majesty's colonies:

2. That, through a determined and vigorous, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects:

3. That this House is anxious for the accomplishment of these purposes at the earliest period that may be, consistently with the welfare of the slaves themselves, the well-being of the colonies, and a fair and equitable consideration of the state of property therein.

A long debate followed, in which Mr. Wilberforce and Mr. Brougham, Mr. Ellis, Mr. Marryatt, and Mr. Baring took a share. Mr. Canning's resolutions were adopted without a division.

The disposition, which the government showed on this occasion, to yield much, if not every thing, to the ultra-abolitionists, produced a very deep impression on those who were interested in the sugar colonies, and had even a very unfavourable effect on the value of

West-Indian property. Still greater was the alarm spread in the colonies themselves; especially when they found, that the ministry were resolved to cause the resolutions voted by the House of Commons to be carried into effect, and that with this view, a circular, dated the 24th of May,* had been sent

* The following is a copy of this circular, against which so much clamour was raised.

“Colonial-Office, Downing-street, May 24, 1823.

“I take the earliest opportunity of communicating to you the resolutions, which were unanimously agreed to by the House of Commons on the 15th instant; and in order that you may better understand, not only the general impression of the House in coming to these resolutions, but more particularly the principles which have guided his Majesty's Government in proposing them, and which will continue to guide them in the measures to be adopted for the furtherance of the important objects to which they relate, I have enclosed the best report that I can procure, although it may not be altogether a correct one, of the speech of Mr. Secretary Canning.

“I do not propose, in this despatch, to call your immediate attention to all the subjects to which that speech refers; but to confine myself to one of those points, on which I have not found that any difference of opinion exists, and which, being simple in its nature, may be at once adopted, viz.—An absolute prohibition to inflict the punishment of flogging, under any circumstances, upon female slaves. The system of meliorating the condition of slaves, to which his Majesty's Government stand pledged by these resolutions, cannot better commence than by the adoption of a principle, which, in making a distinction of treatment between male and female slaves, cannot fail to raise this unfortunate class generally above their present degraded level, and to restore to the female slaves that sense of shame, which is at once the ornament and protection of their sex, and which their present mode of punishment has tended so unfortunately to weaken, if not to obliterate.

by Lord Bathurst, to the functionaries of the different islands, recommending or rather commanding that the use of the whip in the field, and the practice of punishing female slaves by flogging, should be abolished. The degree, in which the British government seemed disposed to interfere directly between the slave and his master, was in itself odious to the planters; the prospect of unceasing future interference, ending finally in emancipation, was still more unpleasant to them; and these grounds of dissatisfaction were still further increased by the not unreasonable apprehensions, which they entertained, of the

"I should therefore have communicated to you his Majesty's commands, that the punishment of flogging should for the future cease with respect to female slaves, had I not been desirous that the prohibition should proceed from the Court of Policy, as I am unwilling to deprive them of the satisfaction which I am sure they will feel in originating and supporting a measure which has been approved of by all classes.

"With respect to the practice of driving the slaves to their work by the sound of the whip, and to the arbitrary infliction of it by the driver as a stimulus to labour, I am equally disposed to trust to the Court of Policy to originate measures for the cessation of this practice, which I need not state must be repugnant to the feelings of every individual in this country. I am aware that a necessity may exist for retaining the punishment of flogging with respect to males, though, at the same time, it should be subject to defined regulations and restrictions; but, as an immediate measure, I cannot too strongly recommend that the whip should no longer be carried into the field, and there displayed by the driver as the emblem of his authority, or employed as the ready instrument of his displeasure. I have the honour to be, Sir, your most obedient servant.

(Signed) "BATHURST."

insubordination and insurrection, which might be excited among the negroes, by a knowledge or misrepresentation of the views and plans of parliament for the present mitigation and ultimate extinction of slavery.

The feelings of the resident West-Indian proprietors were strongly displayed in the House of Assembly in Jamaica. Intimations were there thrown out, that the islands would assert their independence, if the mother country should persist in a parliamentary legislation, interfering with their internal concerns. One of the members, a Mr. Barrett, recommended an address to his majesty for the removal of lord Bathurst from his councils. A bill was introduced for the repeal of the Registry act; proceeding not so much on the ground of any imputed mischiefs inherent in the act itself, as from a desire of fancied retaliation upon the abolitionists for prosecuting, and, still more, upon the ministers for countenancing, projects of emancipation, contrary to the assurances, which, it was said, had been given to the colonists, that, after the registry measure should have been carried into effect, parliament would intermeddle no further with their rights.

The House of Assembly had appointed a committee to inquire, what steps were necessary to be taken, in consequence of the proceedings of the House of Commons and the ministers, on the subject of slavery. The report of this committee, after mentioning the resolutions proposed by Mr. Canning, stated, "That his majesty's ministers had, by those resolutions, sanctioned the principles laid down by the enemies of the colonies in the mother country, and pledged

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themselves to enforce such measures as should tend ultimately to the final extinction of slavery in the British colonies; that the ministers, in their conferences with the agent of the island, had refused to acknowledge any claim to compensation for the injuries the colonies would sustain in the mere endeavour to carry the scheme of emancipation into effect; that by this refusal the ministers showed an inclination, not only to dispose of the property of the colonists without their consent, but even to violate the common rules of honesty; and that the House ought to adopt the most firm, strong, and constitutional measures, to preserve to the inhabitants of the island those rights which had been transmitted to them from their ancestors."

Upon this report the House of Assembly, in the month of December, immediately before the close of their session, voted unanimously the following resolutions:—

"That the patient endurance, with which the people of this island have, for years past, struggled against pecuniary difficulties, proves how much they are disposed to submit to, where the evil arises from inevitable causes, or from circumstances affecting the general interests of the empire. But this House would be unmindful of their duty, were they not to protest most solemnly against the continuance of heavy and ruinous taxation on the produce of their soil, at a time when the demands of a state of warfare can no longer be urged in its defence, and the blessings of restored tranquillity have been extended to their fellow-subjects in the mother country.

"That this House cannot contemplate without sensations of astonishment, and the most serious

apprehension, the measures which have been adopted by the Commons House of Parliament in their unanimous vote of the 15th of May last: as if the machinations of a powerful and interested party were not sufficiently active for the work of destruction, the sanction of ministerial authority has been made subservient to their views, and a decree has gone forth, whereby the inhabitants of this once valuable colony (hitherto esteemed the brightest jewel in the British crown) are destined to be offered a propitiatory sacrifice at the altar of fanaticism.

"That this House, composed of the representatives of the people, are bound to guard the rights of their constituents against every endeavour that may be made to infringe upon them: they pause, in awful expectation of the consequences which must result from the threatened innovation, and whilst they wait the event, they are prepared to meet it; the blood which flows in their veins is British blood, and their hearts are animated with the same fearless determination, which enabled their ancestors to resist, with success, every encroachment of despotic power.

"That the enactment of laws for the internal regulations of the island is exclusively the province of the local legislature, subject to the sanction and approval of his majesty. This House, however, will at all times receive, with attention and respect, any suggestion of his majesty's ministers, relating to legislation, when offered in a consistent and becoming manner, and will be ready to adopt such regulations as can be introduced without hazard, and may appear likely to promote the welfare of

the island; but this House cannot yield to any measure proposed for their consideration, when the unqualified right of rejection is denied, however specious the object may be, or however high the authority from which it emanates.

"That this House, impressed with a due sense of their own dignity, and the integrity of the colonial character, set at nought the malicious and unfounded aspersions which have been cast upon the inhabitants of Jamaica: proud of their attachment to his majesty, his family and government—devoted to the interests of those they represent, and alive to the impulses of humanity—the House need no pharisaical dictation to promote them to the discharge of their duty; but, if left to their own guidance, steadily pursue that line of conduct which comports with the loyalty of their feelings, their regard to the safety, honour, and welfare of the island, and the peace and happiness of their fellow-subjects and dependents."

They also voted an address to the duke of Manchester, the governor, which showed their determination not to adopt any new regulations in their slave code. "The House," said they, in this address, "in compliance with their answer to the speech your Grace was pleased to make at the opening of the present session, have proceeded to a deliberate and careful revision of the consolidated slave law, and find it as complete in all its enactments as the nature of circumstances will admit, to render the slave population as happy and comfortable in every respect as the labouring class of any part of the world. This House also most solemnly assures your grace, that they will at all

times be ready (if left to themselves) to watch and take advantage of every opportunity of promoting the religious and moral improvement of the slaves, and to make such ameliorating enactments as may be consistent with their happiness and the general safety of the colony; but, under the critical circumstances in which the colony is now placed, by reason of the late proceedings in the British parliament, the House think the present moment peculiarly unfavourable for discussion, which may have a tendency to unsettle the minds of the Negro population, which, the House have the greatest reason to believe, is at present perfectly quiet and contented."

In the council, and the House of Assembly of Barbadoes, the measures of government met with an opposition not less firm, though more mild and conciliating in tone. But the general temper of the community was strongly exhibited in the circumstances of an outrage, which was perpetrated against an individual connected with the supposed enemies of the colonies at home. A missionary of the name of Shrewsbury was suspected of having sent home to the society, by which he was employed, statements highly injurious to the moral character of the lower classes of the white population of Barbadoes, whom he represented as bred up in ignorance of Christianity, and incapable, from their depraved habits, of acquiring any knowledge of its doctrines. The people, affected by these supposed accounts, having obtained what they considered sufficient evidence of the charge, their first proceeding was to repair in a body to the chapel in which Mr. Shrewsbury officiated, provided with cat-calls

and other noisy instruments, which they employed in the most violent manner, for the purpose of compelling him to quit the pulpit, and desist from the performance of his duty. All their efforts, however, were unavailing; the preacher kept his post unmoved, waited with calmness till the annoyances ceased, and then proceeded with his functions. Finding it impossible by this mode to drive him from his post, they had the audacity to invite, by written placards, the persons aggrieved, to assemble on the following evening. Having met at the appointed time, they proceeded to demolish the meeting-house in which Mr. Shrewsbury officiated; and after they had accomplished this so effectually that not a brick or piece of timber was left standing, they dispersed quietly to their several homes. A proclamation was issued the following day by sir Henry Warde, offering a reward of 100*l*. for the discovery of any of the actors in the attack on the congregation-house of Mr. Shrewsbury; but this was immediately followed by a counter-placard on the part of the rioters, stating that "the good people of Barbadoes would take care fitly to punish such person or persons as should make any discovery," and warning all missionaries to avoid their shores. Mr. Shrewsbury thought it prudent to fly from the island.

That the apprehensions of danger entertained by the planters were far from groundless, was proved too well by the events which happened in Demerara. There, as in the other colonies, the intelligence of the parliamentary proceedings produced considerable alarm. Although the colonial newspapers were prohibited from

touching on the subject, it was well-known among the negro population that measures for their benefit were going forward; and the general opinion among the whites was, that the wisest course for the colonial authorities would be; to take some steps immediately in accordance with the wishes of the government at home. This, it was expected, would be done at the first meeting of the court of policy, which was looked forward to with so much anxiety, that persons repaired to the capital from almost every estate, in order that they might know definitively what course they were to pursue towards their slaves.

The Court met, and after having continued its sittings for several days, separated without having taken or promulgated any measure. An adjourned meeting was held a fortnight afterwards, and was equally ineffectual. A third adjourned meeting took place to no better purpose. It was now understood, however, that there was a difference of opinion among the members of the court; for that some of those, who were extensive proprietors, argued that every concession to the slave population was so much taken from the value of their property, and was leading to the absolute destruction of it; and that it was better to correspond with the government before taking any step, and perhaps, on representation, the matter might be abandoned entirely. Thus, the Court of Policy, after meeting for the third time, rose without doing any thing—at least without either public or private communication on the subject, or on the result of their sittings. In this situation, and during these protracted discussions, several of the proprietors,

and those who had the charge of estates, abolished on their respective plantations the use of the whip in the field in the hands of the driver, and substituted the bell for the crack of the whip as the signal for going to work. Matters continued in this state of uncertainty till Monday the 18th of August, when information was received, that an insurrection was breaking out among the slaves on the eastern coast. It first manifested itself at Mahaira; and on that day assumed a more decided form on an estate called Le Ressouvenir, the negroes of which, raised by force two slaves belonging to an adjoining plantation, who had been taken into custody, and were in the act of being carried back to their master. A Mr. Smith, a zealous missionary belonging to the London Society, resided at Le Ressouvenir, and was at home when the tumult took place. He used his endeavours successfully to rescue the manager from the negroes, and continued his exertions to induce them to return to their duty, till he himself was, by violence, and with a weapon held to his body, driven from the estate.

The first suspicion of the conspiracy was founded on information given to a Mr. Simpson, by a faithful slave; who stated, that the negroes in his neighbourhood had been for some time assembling in great numbers at night; that some secretaries (among whom were white men) were promulgating news of King George and the parliament having decreed a general emancipation, which was frustrated only by the governor, the local authorities, and the white inhabitants; that the negroes were nevertheless resolved on securing

their freedom, and, if no otherwise attainable, by arms; and finally, that they were to commence operations the same night. General Murray, the governor, repaired first to the court of justice, and hastened thence, accompanied by his staff and 8 or 10 of the George-town militia, to the disturbed district. He found several of the estates in insurrection, and the male negroes drawn up in regular order, armed with cutlasses, and some with fire-arms. He had a parley with them, and endeavoured to persuade them to return to their work. They told him, that they understood that their freedom, or some good thing for them, had come out from the king, and was in his hands; that he and their owners together withheld it; and that they were now determined to take it themselves. He explained the truth to them, and endeavoured to undeceive them; but they were not satisfied, and the governor and his party were fired on from the rear of the body of negroes. On this he retreated; his escape was attempted to be prevented at a bridge, where the negroes were in considerable strength; but partly through cowardice, and partly from the show of force, he and his escort got off. In the course of that night, all the negroes on the estates as far as Mahaira, with only one exception, rose, and took possession of the property—putting the proprietors, managers, &c. into confinement, and, in most places, in the stocks. There was no burning of buildings or canes, nor any personal violence, except where resistance was made to the delivery of the fire-arms, in the course of which three overseers, it is said, were killed, and twice as many wounded. The governor, on his return to the town, pro-

claimed martial law, and took measures for the suppression of the revolt. On the same night, detachments of the 21st Fusileers and 1st West-India regiments, which had marched from the garrison under the command of captain Stewart, came up with the rebels at Plantation Wittenburgh, and, after a short engagement, compelled them to retire, having killed and wounded several, without any loss on the part of the troops. A detachment of the 21st, under the command of lieutenant Peddie, continued to push forward, skirmishing occasionally and successfully, and forcing the negroes to retire.

On Tuesday morning, a large body of the revolted, between 700 and 800 in number, and well armed, assembled at Plantation Douchfour. They commenced an attack upon lieutenant Brady, of the 21st, who had marched early in the morning with a small party of that corps under his command from Mahaica, to endeavour, if possible, to arrest their progress: they attempted to surround him; but he effected his retreat to the post in good order, killing and wounding from 10 to 15, without any loss whatever on his side.

On Wednesday morning, the rebels being still in the vicinity of the post, and at the Bridge of Plantation Beehive, lieutenant Brady proceeded to attack them, and, on his march, threw in a small detachment to clear some bushes he had occasion to pass, where the rebels had posted a party well armed to impede his advance. This service was successfully performed, six of the rebels being killed on the spot, the troops possessing themselves of their arms and ammunition, and the main body retreating with great precipitation. On the same morn-

ing, a detachment of the George-town brigade of militia succeeded in coming up with, and defeating a strong party of the rebels at Plantation Elizabeth Hall, who were compelled to retreat immediately, with the loss of about 40 killed and many wounded. In the mean time, a strong detachment, composed of the 21st Fusileers, and the George-town brigade of militia, under the command of lieutenant-colonel Leahy, proceeded up the coast on Tuesday evening, and arrived at Chateau Mango about nine o'clock. Leaving a few of the 21st and some militia at that place, the lieutenant-colonel pushed forward with the remainder of his detachment (strengthened by a rifle company, and twenty coloured militia, who had joined him on the march) upon Lusignan, where the rebels were reported to be assembled in considerable force. In releasing the whites upon a plantation called Better Hope, a few shots were exchanged, some arms taken, and five or six negroes killed. The detachment proceeded, liberating the white people on the different estates as they advanced, leaving small parties at each to maintain the communication; and they arrived about three o'clock in the morning of Wednesday, at Plantation Bachelor's Adventure, the rendezvous of the disaffected, who were in number considerably above 1,500, and were bold enough to assail the sentries with cutlasses. The troops continued under arms; and as day-light began to break, the fronts of two considerable bodies of the rebels were discovered on the bridges to the right and left, amounting to about 1,000 each, all armed, mostly with cutlasses, and bayonets fixed upon poles; they did not appear to have more than

100 stand of arms and some pistols. The lieutenant-colonel, having in vain attempted to convince these deluded people of their error, and every attempt to induce them to lay down their arms having failed, he made his dispositions, charged the two bodies simultaneously, and dispersed them with the loss of from 100 to 150. On his side there was only one rifleman slightly wounded. This success put a complete termination to the revolt. During its continuance, the western district of the colony remained perfectly tranquil.

Courts-martial were held for the trial of the prisoners; and many of the insurgent slaves were executed. From the evidence given upon the trials, there was reason to believe, that the object of the conspiracy did not go further than, by taking temporary possession of the estates, to compel the promulgation of those regulations in their favour, which they believed to have been made, but to be withheld by their masters and the governor.

The vengeance obtained by the execution of slaves, was not deemed sufficient. Smith, the missionary, had been taken into custody on the 21st of August, on the charge of being concerned in the conspiracy; all his papers were seized; and so strict was his confinement, that his brother missionary, Mr. Elliott (against whom there was no ground of suspicion, as not a single negro under his superintendence had taken part in the revolt) was imprisoned for ten days, merely because he had paid a visit to his fellow labourer in the work of Christianity. On the 13th of October, Smith was brought to trial before a court-martial, which continued, by adjournments, to the 24th

of November, and concluded by finding the accused guilty of a capital offence. The men, however, who had courage to condemn, were afraid to carry their sentence into execution: and proceedings were suspended, till his majesty's determination on the case could be known. In the mean time, Smith was subjected to the closest imprisonment, the miseries of which were aggravated by much unnecessary severity. A disease, under which he had laboured, when he was first deprived of his liberty, went on increasing; and he was rescued by the hand of death, before the news arrived, that his majesty had rescinded the sentence of the court-martial.

The details of the proceedings of that court-martial were not known at the time; but the most important parts of them were subsequently published—a most melancholy specimen of ignorance and injustice. The members of it disregarded equally the forms and the principles of law; every rule of evidence was violated; and after all, there was not a shadow of proof, that Mr. Smith had had the slightest intimation of the insurrection, till the moment when it broke out, and he interfered to suppress it. But he was a missionary, and therefore he was condemned—condemned by a court sitting in the name of the Crown of England, in defiance of every principle that Englishmen hold most sacred. It is long since our annals have been stained with an act of injustice equally outrageous; and the safety of mankind and the sanctity of law, require that the participators in so foul a deed should not pass unbranded and unpunished.

The emigrants, who had formed

138] ANNUAL REGISTER, 1823.

new establishments at the Cape of Good Hope, were reduced in the present year to a very miserable condition. For three years successively, the crops of wheat and Indian corn had been famished by drought, or destroyed by a species of blight called rust; the soil and climate were discovered to be utterly unfit for purposes of tillage husbandry; and the resources of the settlers were wholly exhausted. Many of them applied to lord Charles Somerset for a conveyance to England or to Van Diemen's land; but the answer was, that no means of such conveyance "were at his excellency's disposal." During his temporary absence in England, Sir R. Donkin, who held the command ad interim, with a view to the safety of the emigrants, established military posts in the neighbourhood of the Fish River—Fort Wiltshire, in advance of that river—and Fredericksburgh, between the Fish River and the Beeka. The latter, composed of half-pay officers and other military

acquainted with the mode of Caffre warfare, was half way on the route towards the Caffres, and formed an effectual protection to the settlements newly created. Immediately on lord C. Somerset's return, all these safeguards of the colony were, it is said, withdrawn. The town of Bathurst, in the centre of the emigrant country, was stripped at once of its garrison, and deprived of its rank as county town; the capital of the unfortunate persons, who had expended their all in buildings and domestic establishments there, was lost, and the whole country was left at the mercy of the Caffre depredations. The consequence was, that the cattle were carried off by droves; the colonists, Dutch as well as English, attacked by the plunderers in open day; and some of them savagely murdered. The complaints against his lordship's administration were loud; whether they were well founded or not, we are as yet without the means of judging.

CHAP. IX.

Motion respecting Mr. Bowring's Imprisonment: the Conduct pursued by the British Government in that Affair—Claim of Mrs. Olive Serres to be Princess of Cumberland: Mr. Peel's exposition of the Imposture—Prorogation of Parliament—Mr. Canning's refusal to acknowledge or hold communication with the Regency of Madrid—Appointment of Consuls and Consuls-General in the States of South America—Our Relations with South America—Mr. Canning's increasing popularity: his speech at Plymouth.

AMONG the alleged cases of individual hardship, which were in the present session, brought before parliament, only two deserve to be noticed: those of Mr. Bowring and of Mrs. Olive Serres, styling herself the Princess of Cumberland.

Mr. Bowring's case was brought into discussion, on the 27th of February, by a motion of lord Archibald Hamilton for the production of certain papers connected with the imprisonment of that gentleman.* According to lord Archibald Hamilton's statement, Mr. Bowring, being on his return from a commercial journey to France and Italy, had arrived at Calais. After his baggage was examined at the Customs, he was informed, that he must submit his papers to an inspection; and being taken before the mayor, was committed to prison. In answer to his inquiries into the nature of his alleged crime, he was told that a telegraphic despatch had been received, directing the examination of his papers. After remaining in prison at Calais two days, he was conveyed, in obedience to another telegraphic despatch, to Boulogne.

Here again he was refused the information as to the nature of his crime. He had not been long at Boulogne, before the inconvenience of his imprisonment was increased by many unnecessary severities. He was confined *au secret* in a loathsome prison, deprived of the society of his friends, and denied the benefit of professional advice. Mr. Bowring having in the mean time applied to Sir Charles Stuart for protection, a new charge at the end of eleven days was manufactured; and Mr. Bowring learned, that he was now accused of being engaged as an accomplice with others, in a plot against the French government. After several other examinations, at none of which he had been allowed a professional advocate, a letter was received at Boulogne, by which Mr. Bowring was summoned to go to Paris, but was at the same time informed that he could not be compelled to go. At length the proceedings were concluded by a sentence, the words of which were, that Mr. Bowring was set at liberty, because the crime, of which he was accused, did not warrant his imprisonment at all.

Mr. Canning, in reply, gave such an account of the con-

* *Vide* Vol. LXIV. p. 216.

duct of our government on this affair, as satisfied every person of the zeal of the secretary of the foreign department in protecting the rights of individuals. He stated, that, when he heard of the arrest of Mr. Bowring, it appeared to him, that the part, which the British government were bound to adopt, was, to take care that the laws, not of England, but of France, were applied to his case with perfect impartiality. Instructions were sent, within three quarters of an hour after the affair was known, to his majesty's ambassador at Paris, directing him to take instant measures to inquire into all the circumstances of the case; and, if there were no cause to warrant an application to the government as to some special measure, to watch carefully over all the proceedings, and to see that the law was administered with the best legal information, with perfect impartiality, and with strict justice. He did not feel it right to ask, that Mr. Bowring's case should be separated from that of any other set of men in France, native or foreigners: He was not entitled to demand that the writ of Habeas Corpus, or the trial by jury, should be introduced into the French territory, on account of Mr. Bowring: but he did think it proper, that, whatever was the practice in France towards an accused person, that practice should be strictly observed with respect to Mr. Bowring; that any deviation from it might justify national interference; and that national interference could only begin, when individual injustice was perpetrated. Mr. Bowring was, in the first place, arrested as the bearer of sealed letters, and as thereby defrauding the post-office of France,—a crime

of no moral turpitude, a crime not *malum in se*, but *malum prohibitum*—an offence, however, which was a misdemeanor, by the English law. With us, it was visited by a pecuniary fine; in France, it was punished in a more summary manner. But, being detained as the carrier of letters, there grew out of those letters, or of other things which arose in the course of that accusation, matter which occasioned a charge of a heavier crime—a crime that incurred the punishment of imprisonment. On this latter crime, however, be it what it might, he was never brought to trial; and he was ultimately released. When he was released for the greater crime, he was not detained on account of the lesser; but was set at liberty, as the lesser crime did not incur the punishment of imprisonment. Mr. Bowring was not released because he had been unjustly imprisoned; but because the offence, which incurred the punishment of imprisonment, was not proceeded on, and the other offence had not that punishment attached to it by the French law. Mr. Canning added, that, during the whole of these transactions, if Mr. Bowring had been nearest to the British government in affection, and nearest to Mr. Canning's own feelings individually, it would have been impossible to watch over the proceedings with more anxious vigilance. But, when those proceedings were brought to an end (and their close, he believed, was precipitated by the interference of the British government; an interference, which called on the French government, not to let go, but to proceed or let go)—the only course for the British government to pursue was, to inquire whether any compensation was due to Mr.

Bowring, and to ascertain by the opinion, not of English lawyers, but of French lawyers, whether the entire proceedings were consonant with the usual course of French jurisprudence. Accordingly, he himself instructed sir Charles Stuart to lay before two of the first advocates of Paris, who were officially employed by government, and two other eminent advocates selected from the bar, and who were known to be politically hostile to the government, the whole proceedings in Mr. Bowring's case, and to ask whether, with respect to that individual, the ordinary course of the French law had been steadily observed? The answer of these gentlemen (concurring in their knowledge of the law, but differing in their political opinions) was, that, in the proceedings towards Mr. Bowring, the usual practice of the French law had been scrupulously observed—that those proceedings were exactly the same as would have been adopted towards a French subject. It therefore appeared, that Mr. Bowring, being in the French territory, had nothing more to complain of, than any Frenchman who was detained without trial might complain of. That gentleman, undoubtedly, was detained. To that inconvenience the accusation necessarily subjected him. If the accusation were wanton and malicious, the course would be, to establish that fact by an individual proceeding; and in the progress of such proceeding (if the French law allowed it), Mr. Bowring was assured, that he should have the countenance and protection of the British government. If, however, the French law did not allow such a proceeding, Mr. Bowring could only regret that he had gone to a

country not so happy in its constitution, and not so just in its laws, as the state which he had left; and having subjected himself to the jurisprudence of that country, he must abide by the consequences.

On the 3rd of March, sir Gerard Noel presented a petition from Mrs. Olive Serres, asserting her claim of descent from the royal family;* and on the 18th of June, he moved that the petition should be referred to a select committee. Mr. Peel, on this occasion, showed satisfactorily, that Mrs. Serres either was herself practising a most impudent imposture, or was the innocent dupe of others. According to Mr. Peel's statement, there were formerly two brothers of the name of Wilmot; the one, Dr. Wilmot, the other a Mr. Robert Wilmot: and the person now claiming to be princess of Cumberland was the daughter of Robert Wilmot. Proof of her birth and baptism existed, and for a considerable time she had been contented with this humble origin. But in the year 1817, she discovered that she was the daughter not of Robert Wilmot, but of the late duke of Cumberland, brother to his late majesty. She did not then, indeed, pretend that she was the legitimate, but the illegitimate, daughter; and, in 1817, a petition, signed "Olive Serres," was presented to his majesty by a person on her behalf, which contained these words—"May it please your royal highness to attend to the attestations which prove this lady to be the daughter of the late duke of Cumberland, by a Mrs. Payne, the wife of a captain in the navy. Mrs. Payne was the sister to Dr. Wilmot, and this lady was born

* *Vide* Vol. LXIV. pp. 11, 421.

at Warwick, and the attestation of her birth is both signed and sealed by the matron and the medical attendant." This petition represented her as the illegitimate daughter of the duke of Cumberland; but, in 1819, the lady became dissatisfied with this distinction, and then she discovered, and produced attestations to prove, that she was the legitimate offspring of the duke of Cumberland by the daughter of Dr. Wilmot. She alleged, that Dr. Wilmot had a daughter who was privately married to the late duke of Cumberland in 1767. It was known, that the duke of Cumberland was in fact married, not to Miss Wilmot, but to Mrs. Horton, in 1769. Of course, the ground of the petitioner's claim was, that the duke of Cumberland had been guilty of having been married to her mother two years before his union with Mrs. Horton. After the death of lord Warwick, and of every party who could prove the signatures, the petitioner produced several documents to show, that there had been a private marriage in 1767, and that she was the offspring of it. The marriage at that date would have been legal; the royal marriage act not then having been passed. She also produced various papers to account for the secret having been so mysteriously kept till the year 1819: but none of these papers had been forthcoming, until the death of every party whose signatures they purported to bear: even the accoucheur, who attended her mother, died in 1818, a year before the claim was advanced. The attesting witnesses to her documents were, Mr. Dunning, lord Chatham, and lord Warwick; and their names were used to prove a secret mar-

riage, and the consequent birth of a child in 1772—no other, as was pretended, than the present Mrs. Serres. To account for the long belief that she was really the daughter of Mrs. Wilmot, she asserted that, Mrs. Wilmot, having been delivered of a still-born child, the petitioner, the daughter of the duke of Cumberland, was substituted for the sake of concealment, and that Mr. Dunning and lord Chatham had consented to that substitution. The story, said Mr. Peel, was full of fabrications from beginning to end; the two most important documents—the supposed will of his late majesty, and the pretended certificate of the private marriage, were plain forgeries. The petitioner claimed 15,000*l.* under an instrument which she called a will, signed on the 2nd of June, 1774, by his late majesty, and witnessed, "J. Dunning, Chatham, and Brook". The terms of the bequest were singular. It was headed G. R. "In case of our royal demise, we give and bequeath to Olive, our brother of Cumberland's daughter, the sum of 15,000*l.*, commanding our heir and successor, to pay the same privately to our said niece, for her use, as a recompense for the misfortunes she may have known through her father." This paper was witnessed, among others, by lord Chatham in 1774; now that nobleman had resigned his office in 1768, and never afterwards held any public employment: In 1772, he made a speech in direct opposition to the king's government; and, on the 20th of January, 1775, he moved an address to his majesty, to withdraw the troops from Boston. Those, who knew the sentiments of his late majesty on the subject of the American war

would find it difficult to believe, that under such circumstances he would select lord Chatham to be his confidant in a private transaction such as the one in question. But, on a reference to the recorded speech of lord Chatham on that occasion, it would be found that that noble lord actually commenced it with these words: "As I have not the honour of access to his majesty, I will endeavour to transmit to him, through the constitutional channel of this House, my ideas of America, to rescue him from the misadvice of his present ministers."* There was another of this lady's documents, said to be signed by lord Chatham, of a still more extraordinary nature. It began—"To be committed to the flames after my decease;" and it testified, "that, the duke of Cumberland having subjected himself to the crime of bigamy, we have agreed to let his daughter Olive be the sacrifice." It was signed "Warwick and Chatham." It was on the 20th of January, 1775, that lord Chatham had made his motion respecting the troops at Boston, and in six weeks afterwards his name was appended to a document couched in these terms—"The princess Olive, only child of Henry Frederick, duke of Cumberland, and bred up as my brother Robert's daughter, may be known by a large brown spot of a liver colour, on her right ribs." The pretended certificate of the marriage, which was dated March 4, 1767, was in these words—"I hereby certify that Henry Frederick, duke of Cumberland, was this day married to Olive Wilmot, and that such marriage has been legally and duly solemnized, accord-

ing to the rites and ceremonies of the Church of England." It was signed "James Wilmot," present "Brooke," "J. Adder." "G. R." was also appended, but for what purpose did not appear. This document was intended to make out, that the marriage was solemnized by James Wilmot, the real uncle of the petitioner. Now, James Wilmot was a fellow of Trinity college, Oxford, and unfortunately for the petitioner, on that very day, March 4, 1767, he was resident there; as it appeared by the books of the college, that he quitted Oxford on the 5th of March, 1767. So much for James Wilmot: the signatures of the late lord Warwick and of J. Adder alone remained to be disposed of. The late lord Warwick, by the paper, appeared to have signed "Brooke," his father being still alive; but unluckily again, the late lord Warwick, before he succeeded to the title, had always signed "Greville." He was so named in the entry of the burial of his wife. His servants knew him by that title only, and by that title his father's property was bequeathed to him. He (Mr. Peel) was in possession of a letter from the present lord Warwick, stating that the title of lord Brooke had not been borne by any eldest son but himself. The fabricator of this instrument had therefore been misled by the present practice of the family. As to the signature "J. Adder," a person had been sent down to Warwick, to inquire if there existed any recollection of such a person; and by the residents he was rather startled to be informed, that the medical attendant of the Warwick family certainly was a Dr. Adder. On further investigation, it turned out, however,

* See Parl. History, v. 18, p. 149.

that the real name of the gentleman was James Haddow; that he came from St. Andrew's; and that the people of Warwick generally, in speaking of Dr. Haddow, had omitted the H in his name altogether, and had substituted an R for a W at the end of it. Here, again, vulgar mispronunciation had misled the framer of this piece of imposture. It was needless to go into other documents. There was however, one pretension, on which he (Mr. Peel) did not wish to throw the least discredit. He held in his hand a manifesto signed "Olive," and claiming the high dignity of princess of Poland, by virtue of her relationship to Augustus Stanislaus; upon the pretext that the duke of Cumberland married Olive, the legitimate daughter of the king of Poland. It concluded in these terms—"Alas! beloved nation of our ancestors, your Olive lives to anticipate the emancipation of Poland. Invite us, beloved people, to the kingdom of our ancestors, and the generous humanity and wise policy of the emperor Alexander will restore the domain of our ancient House." It went on to assure the Poles, that her legitimacy, as princess of Poland, had been fully proved in England. With her claim to be a Polish princess, Mr. Peel declared that he had not the slightest wish to interfere; he was satisfied with having shown that she had no pretension to that rank in England.

The statement of Mr. Peel left no doubt on the mind of any person of the imposture of this woman; and the motion for an inquiry into the matter, was loudly and unanimously negatived.

On the 19th of July, the session terminated. As his majesty

had for a short time previously been somewhat unwell, the fatigue of the ceremony of closing the session in person was deemed too great for him; and therefore the parliament was prorogued by commission.

The commissioners were the lord chancellor, the archbishop of Canterbury, the earl of Harrowby, the earl of Liverpool, and the earl of Westmorland. The speech was read by the lord chancellor, and was as follow:

"My Lords and Gentlemen,

"We are commanded by his Majesty, in releasing you from your attendance in parliament, to express to you his Majesty's acknowledgments for the zeal and assiduity wherewith you have applied yourselves to the several objects which his Majesty recommended to your attention at the opening of the session.

"His Majesty entertains a confident expectation, that the provisions of internal regulation, which you have adopted with respect to Ireland, will, when carried into effect, tend to remove some of the evils which have so long afflicted that part of the United Kingdom.

"We are commanded to assure you, that you may depend upon the firm, but temperate exercise, of those powers which you have intrusted to his majesty, for the suppression of violence and outrage in that country, and for the protection of the lives and properties of his Majesty's loyal subjects.

"It is with the greatest satisfaction that his Majesty is enabled to contemplate the flourishing condition of all branches of our commerce and manufactures, and the greatest abatement of those diffi-

culties which the agricultural interest has so long and so severely suffered.

"Gentlemen of the House of Commons,

"We have it in command from his Majesty to thank you for the supplies which you have granted for the service of the year, and to assure you that he has received the sincerest pleasure from the relief which you have been enabled to afford his people, by a large reduction of taxes.

"My Lords and Gentlemen,

"His Majesty has commanded us to inform you, that he continues to receive from all foreign powers, the strongest assurances of their friendly disposition towards this country.

"Deeply as his Majesty still regrets the failure of his earnest endeavours to prevent the interruption of the peace of Europe, it affords him the greatest consolation that the principles upon which he has acted, and the policy which he has determined to pursue, have been marked with your warm and cordial concurrence, as consonant with the interests, and satisfactory to the feelings, of his people."

Some time before the end of the session, an attempt was made, but without success, by the regency, which had been established at Madrid immediately after the arrival of the duke of Angoulême in that capital, to open a correspondence with the British government. Don Victor Saez, in the name of the Regency, wrote to Mr. Canning, on the 7th of June, announcing the installation of that body; and he transmitted to him at the same time a letter to the king, communicating that event together with copies of documents relative to it. Mr. Canning, how-

ever, refused to acknowledge this Regency, or to hold any communication with them. The following was his answer to Don Victor Saez:—

Foreign-office, June 19, 1823.

Sir,—I have the honour to acknowledge the receipt of the letter, which your excellency did me the honour to address to me on the 7th inst., announcing the installation of a new regency at Madrid, and enclosing a letter, addressed (as you inform me) by that body to the king, my master.

The regency of Urgel some months ago, and more recently that which was instituted after the entrance of the French army into Spain, successively addressed letters to me, announcing, in like manner, their assumption, respectively, of the government of Spain.

To neither of these communications has it been thought necessary to return any answer; and if I now deviate from the course pursued in those two instances, it is only because I would not appear to be guilty of incivility, in sending back your messenger without a written acknowledgment of your letter.

I have, however, nothing to add to that acknowledgment. The king, my master, having a minister resident near the person of his catholic majesty, cannot receive a communication of this description; and it is therefore not consistent with my duty to lay before the king, the letter addressed to his majesty, which I have the honour herewith to return. I have the honour, &c.

(Signed) GEORGE CANNING.

His Excellency Don Victor Saez,
&c. &c.

One result of the success of France
[L]

beyond the Pyrenees was; that it produced some change in the avowed character of our relations with the states of South America. In the month of July, an application was made to the foreign office, by a number of respectable merchants connected with the South American trade, submitting to the consideration of that department, whether it might not be fit to recommend to his majesty, that commercial agents should be appointed to protect British interests in that quarter of the world. On the 22nd of August, an answer was returned, by the direction of Mr. Canning, which stated that the subject was under consideration; and shortly afterwards, consuls and consuls-general were appointed to the principal stations in Mexico, Colombia, Peru, Chili, and Buenos Ayres. The consuls were to receive 1,000*l.* a-year, and be at liberty to trade as merchants. The consuls-general were to receive 2,200*l.* a-year, but were not to engage in traffic.

In the latter part of the year, communications, with respect to these countries, took place between our government and that of France. The language of Mr. Canning on this subject was manly and consistent—"We will not interfere with Spain in any attempts she may make to re-conquer what were once her colonies; but we will not permit any third power to attack them, or to re-conquer them for her; and in granting or refusing our recognition of their independence, we shall look, not to the conduct of any European power, but to the actual circumstances of these countries."

During the autumn, Mr. Canning extended his influence among the commercial classes by a visit

to some of the principal commercial and manufacturing districts. He received every where, but more especially at Liverpool, the most flattering testimonies of the popularity of his conduct. In October, being in Devonshire on a visit to the earl of Morley, he was voted the freedom of Plymouth; and on being presented with it, addressed the corporation in a speech, which, though delivered on an occasion of ceremonial compliment, excited much attention at the time, on account of the manifestation which it contained of the views and feelings of the most important member of the cabinet. "Our ultimate object was," said Mr. Canning, "the peace of the world; but let it not be said," he continued, "that we cultivate peace either because we fear, or because we are unprepared for war: on the contrary, if eight months ago the government did not hesitate to proclaim that the country was prepared for war, if war should unfortunately be necessary, every month of peace that has since passed has but made us so much the more capable of exertion. The resources created by peace are means of war. In cherishing those resources, we but accumulate those means. Our present repose is no more a proof of inability to act, than the state of inertness and inactivity, in which I have seen those mighty masses that float in the waters above your town, is a proof they are devoid of strength, and incapable of being fitted for action. You well know, gentlemen, how soon one of those stupendous masses, now reposing on their shadows in perfect stillness—how soon, upon any call of patriotism, or of necessity, it would assume the likeness of an animated

thing, instinct with life and motion—how soon it would ruffle, as it were, its swelling plumage—how quickly it would put forth all its beauty and its bravery—collect its scattered elements of strength, and awaken its dormant thunder. Such as is one of these magnificent machines when springing from inaction into a display of its might—such is England herself, while apparently passive and motionless

she silently concentrates the power to be put forth on an adequate occasion. But God forbid that that occasion should arise! After a war sustained for nearly a quarter of a century—sometimes single-handed, and with all Europe arranged at times against her or at her side, England needs a period of tranquillity, and may enjoy it without fear of misconception."

CHAP. X.

FRANCE—Pretended violation of the neutrality of the French soil—Ambiguous conduct of the French Ministry—Speech at the opening of the French Chambers—Duplicity of the Minister—The subsequent explanation attempted to be given of the doctrine contained in that Speech—Respective departures of the French and Spanish ambassadors—Debate in the Peers on the Address; amendments moved; speech of Talleyrand—Address of the Peers—Debate in the Chamber of Deputies on the Address; Address of the Deputies—The Budget—Discussions on the War in the progress of the Financial measures; Chauteaubriand's speech—Course of observation pursued by Manuel: proceedings against him; his expulsion from the Chamber—Protest against this measure tendered and rejected—Secession of the Opposition—Riots—Addresses against the War—Annunciation of the commencement of the War—Exultation of the French in the success of the Spanish Campaign—Proceedings in Paris—Communications with England as to South America—Dismissal of the Duke of Belluno—Remarkable Trials at Paris—French Clergy—English artizans employed in France.

AS the Spanish troops, at the end of 1822, had advanced in pursuit of the Royalist-insurgents to the very frontiers of France, it would not have been surprising if the animosity of civil war had led to some rash and partial inroad upon the French territory. The prudence of the chiefs, however, prevented any thing of this kind from taking place; and a transaction, which, in the early part of January, called forth the invectives of the French ministerial journals as an act of open hostility, turned out, upon further examination, to be of a character altogether different. The alleged violation of a neutral territory occurred under the following circumstances: On the 29th of December, 1822, after an engagement between the Constitutional troops

and the bands of the Faith, in which the latter were defeated, and fled, part into France, and part to Valcarlos, the Spanish colonel Assura, at the head of 200 men, presented himself at a village common to both countries, and requested guides from the French to point out the road. There was nothing hostile in this proceeding; on the contrary, it indicated a desire to respect the French soil. In the absence of the mayor, his deputy made no scruple to furnish the guides who were demanded: and the Spanish troops, having arrived at Valcarlos, completed the defeat of those enemies whom they had previously routed. When the prefect was informed of this proceeding, he suspended the civil officer who furnished Assura with guides.

The 28th of January was the day fixed for the meeting of the French Chambers; and up to that time the suspense with respect to the hostile designs of France towards Spain continued unimpaired. The elevation of Villèle, who was now president of the council of ministers, to be the acknowledged head of the administration, made no alteration in the conduct pursued by the government. The journal *Des Débats*, indeed, teemed with articles which delineated the dangers of war in glowing colours; that paper was known to be entirely in the interest of Villèle; and in fact, some of the most important of these articles were corrected with his own hand. Military preparations, however, went on; every thing that was done, bespoke war; and most of what was said tended to excite suspicion. Still, hopes were entertained, and more strongly in England than elsewhere, that peace would not be disturbed. But these hopes had no stable ground; they emanated from our wishes—from the clear conviction entertained by all reasonable men, that an aggression upon Spain was alike impolitic and unjust, and that it could produce no beneficial result for France, but might endanger her throne and involve her in a maze of evils.

So little was known of the real purposes of the administration, that on the very day fixed for the meeting of the chambers, the complaint of the duke of San Lorenzo, the Spanish ambassador, against certain individuals who had attempted to negotiate at Paris a loan for the Regency of Urgel, came on to be heard before a court of justice. For the defendants, it was objected, most unexpectedly, that the

diplomatic character of the plaintiff, in which alone he was entitled to prosecute the proceedings, had ceased on that very morning. The objection was sustained; and this was the first public intimation, that there was no longer any accredited minister of Spain to the court of the Tuilleries.

On Tuesday the 28th of January, the session of the chambers was opened, amid intense anxiety, and a numerous attendance of diplomatic personages. Among these, however, the ambassador of England was not to be seen; and it was well, that he was not to be found among them; for it would not have been becoming in the representative of England to have honoured with his presence a ceremony, in which he must have remained a silent acquiescent witness, while the first principles of rational government were trampled under foot. The king, in his speech to the chambers, began with describing the flourishing state of France and the blessings which she had derived from her return to legitimate rule, he then proceeded to consider her relations with Spain. "Divine justice permits," said he, "that after having for a long time made other nations suffer the terrible effects of our disorders, we should ourselves be exposed to dangers brought about by similar calamities among a neighbouring people. I have made every endeavour to guarantee the security of my people, and to preserve Spain herself from the extremity of misfortune. The infatuation with which the representations made at Madrid have been rejected, leaves little hope of preserving peace. I have ordered the recall of my minister: one hundred thousand Frenchmen, commanded by a prince of

my family—by him whom my heart delights to call my son—are ready to march, invoking the God of St. Louis, for the sake of preserving the throne of Spain to a descendant of Henry 4th—of saving that fine kingdom from its ruin, and of reconciling it with Europe. Our stations are about to be reinforced in those places where our maritime commerce has need of that protection. Cruisers shall be established every where, wherever our arrivals can possibly be annoyed. If war is inevitable, I will use all my endeavours to confine its circle, to limit its duration: it will be undertaken only to conquer peace, which the state of Spain would render impossible. *Let Ferdinand 7th be free to give to his people institutions which they cannot hold but from him, and which, by securing their tranquillity, would dissipate the just inquietudes of France: hostilities shall cease from that moment. I make, gentlemen, before you, a solemn engagement on this point. I was bound to lay before you the state of our foreign affairs. It was for me to deliberate. I have done it maturely. I have consulted the dignity of my crown, the honour and security of France. Gentlemen, we are Frenchmen: we shall always be agreed to defend such interests."*

This speech was the most deliberate avowal of the principles of tyranny, that ever was addressed to an assembly bearing the name and character of representative. Bad as the constitution of Spain was (and worse, we admit, democratic folly never framed)—wanting as her statesmen had shewn themselves in every quality that statesmen ought to have—what justification did that afford to a

foreign power for invading her with an armed force? Louis and his cabinet dislike the internal administration of Spain: but are their likings the rule of right and wrong? what is the foundation of their prerogative to assault with 100,000 men whatever is not accommodated to their fancy? If the practical purport of the speech was infamous, the principle of their interference was still more worthy of reprobation. *Let Ferdinand be free to give to his people institutions which they cannot hold but from him. What! is freedom to emanate only from the breath of a tyrant? Are law, and reason, and manly fortitude to exist only in and by an idiotic coward? Let the nations listen to the wisdom promulgated by the restored Louis, and re-echoed by his chambers.—"The people have no rights; no rights can be derived from truth, or reason, or justice, or general utility—none from the constitution of human nature compared with the circumstance in which man is placed by his Creator—none even from the will or revelation of that Creator himself: all institutions, and of course all the rights which they confer, acknowledge, or protect, can proceed only from a monarch: what is not given by a despot ought not to be allowed to exist."* Did the darkest of the dark ages ever produce any avowal more atrocious than this? We knew not till now, how perfectly Napoleon had disciplined the French into servitude. What must have been the state of the public mind, when a minister could without hazard put such maxims into the mouth of his sovereign?

It is not alone for the extravagance of the principles asserted in this speech, that the French minis-

ters deserve deep condemnation: their dissimulation is equally reprehensible. Up to this time they had, in their communications with the British government, professed the most pacific wishes and hopes; and these professions were repeated with renewed ardour at the very moment when Mr. Canning received the first communication of this extravagant manifesto. They had indeed called upon Spain to make some modifications in her constitution: but the basis, on which the question had been put, was, that if these modifications were conceded, peace would be preserved, but that, though they were refused, war did not necessarily follow. Now, the speech of Louis entirely overthrew both the positive and negative branch of the alternative: for its purport was, that war was unavoidable, so long as institutions existed in Spain, that were not freely given by and held of the good pleasure of Ferdinand.

Mr. Canning, indeed, suggested that another construction might be put upon the speech, and that the sentiment intended to be conveyed might be no other than "that, in order to give stability to any modification of the existing system, and in order to afford sufficient assurance to France to justify her discontinuing her warlike preparations, the king of Spain must be a party, and consent to such modification." But this is clearly a meaning which the words cannot fairly bear: and the French ministers did not adopt it. M. de Chateaubriand assented to it as a proposition: and that he fairly might do; for it is perfectly consistent with the general proposition avowed by the king; but neither he nor his colleagues disavowed the ominous sense which

the speech naturally conveyed, nor stated that Mr. Canning's forced construction was that in which it was meant to be taken.

Before the meeting of the Chambers, orders had been sent to the count de la Garde, the ambassador at Madrid, to quit Spain. On the 26th of January, he demanded his passports; but did not receive them till midnight on the 28th, though he had ordered the arms of France to be taken down from his hotel; and it was not till the 30th that they were countersigned by the political chief at Madrid. At 6 o'clock on that day he set off, accompanied only by M. Belloc, his principal secretary of legation, and arrived at Bayonne on the 3rd of February. The duke of San Lorenzo was commanded to quit Paris within four and twenty hours.

The royal speech was immediately taken into consideration by the chambers; and in each the task of framing a reply was entrusted to a committee. On the 3rd of February, the duc de Levis, reporter of the special committee of the peers, presented the project of an answer which had been examined and approved in the committee. The baron de Barente moved an amendment in disapprobation of the intended war with Spain, which was supported by M. de Talleyrand. "It is now sixteen years," said that experienced statesman, "since, commanded by him, who then ruled the world, to deliver my opinion on a conflict in which he was about to engage with the Spanish people, I had the misfortune to displease him by unveiling the future, and pointing out the multitude of dangers that would arise out of an aggression equally rash

and unjust. Disgrace was the reward of my sincerity. After so long an interval, I find myself by a singular destiny, under the necessity of renewing the same efforts and the same counsels! The speech from the throne has almost banished the last hope of the friends of peace. However, war is not yet declared. Peers of France, a moment, a single moment still remains to enable you to preserve your king and country from the chances of so dangerous an enterprise. The wishes of the French people are decidedly for peace. All the parts of this vast empire, which presents so many various interests, are unanimous on this question. Lille coincides with Strasburg, Lyons with Bordeaux, and Marseilles with Grenoble. The most insolent party spirit cannot dispute this fact. And how should it be otherwise? In this case, have not the ship-owners of Bordeaux and Marseilles the same interest as the manufacturer of Lyons or Rouen? Is not the one in danger of being robbed of the treasures which he has embarked on the sea, and is not the other, by being suddenly deprived of his most important outlets, exposed to the risk of being compelled to shut up those warehouses, which once constituted his glory and the prosperity of our country? Need I mention that portion of the population, who live only by their daily labour, and who, through the reduction in the price of that labour, now earn only a part of the wages necessary to support their families, and who, from day to day, may run the risk of being deprived of this last resource? Can you suppose, gentlemen, that the most flourishing state of agriculture can

escape the disasters that assail industry and trade? In the present state of society, all branches of prosperity are linked together. The losses of the merchant will, in their turn, fall upon the cultivator, and the agricultural class of the people will be drained of the money that will be lost on the desolated plains of Spain. Why do not the powers of the world count at this terrible moment what are the suffrages? On one side there is a whole people, and on the other—what shall I say?—some individual interests, which endeavour to turn to their advantage exclusively, a restoration which was intended for the benefit of society at large. The war is not a question relative to dynasty; it is altogether a party question. The interests of royalty are not concerned, but only those of a party, true to its ancient hatreds and its ancient pretensions, and which is less ambitious to preserve than to re-conquer. It is wished to obtain revenge on the tops of the Pyrenees. What substantial motives could induce France, now so happy, so tranquil and so prosperous, to risk the chances of a war with Spain? What has France to complain of? All her complaints are reduced to this—the Spanish charter is full of imperfections. I myself think that it is full of imperfections: but how long is it since neighbouring nations have believed themselves authorised to exact of an independent people the reformation of its political laws? With such a theory, what would become of the independence of nations? What singular reformers, what strange Lycurguses, a hundred thousand soldiers, speedily to be followed by as many more, would make! Who is it that

it is wished to impose upon by this political Don Quixotism? Does any person flatter himself that the secret of this new crusade is a mystery to the people? No; Spain with its acquired liberty, Spain without privileged orders, is an intolerable spectacle for pride to witness; it cannot be endured, and it is necessary to do that in Spain which it has not been possible to do in France—to effect a counter-revolution. The king is deceived! It is our duty to undeceive him. He is told that his people desire war, when they wish for peace. He is told that the honour of his crown would be compromised if he did not revenge the insults which have been offered to Ferdinand 7th. His ancestor Louis 14th did not revenge insults much more heinous; and on a point of dignity Louis 14th is not a model to be despised. The happiness of France is the glory of Louis 18th; and he is worthy of enjoying such glory. It is said, that Spain being a prey to anarchy is dangerous for France. Facts are before us to answer this. Is it true, that anarchical doctrines have made alarming progress in France? On the contrary, has not power made its greatest acquisitions amongst us since the revolution of Spain? Do not fear to make the truth known to the king: he will never reject it; and with this conviction, I support the amendment moved by the baron de Barente. As to what may be the secret wish of Ferdinand 7th, I do not presume to give a personal opinion; I derive it from the past, which is but too well known. The king of Spain was, doubtless, never more completely deprived of liberty than during the seven years of his captivity at Valençay, and I ap-

peal to the recollection of some of my noble colleagues, whether at that painful period they did not find that neither their brilliant names nor their affecting attachment were capable of inspiring that sovereign with sufficient confidence to make him regard the attempt which they wished to make for his deliverance, as any other thing than an act of temerity, of which he would become the victim.

The first amendment not having been carried, a second and modified amendment was proposed by the count de Segur, and supported by the count Daru; it was opposed by M. de Villèle and viscount de Chateaubriand, and was finally lost by a majority of 90 to 53. The original project of address was then adopted by a majority of 99 against 26. On the subject of the war with Spain it contained the following passages:

“Why must the memorable example of the rapid unexpected return of our prosperity, after unheard-of misfortunes and losses, be lost to Spain, when that return is evidently due to the triumph of legitimacy, as well as to the intimate alliance of religion, order, and liberty? And by what fatality have the disinterested counsels of a monarch whose wisdom is respected, and whose good faith is honoured by Europe, been rejected by those who hold under the yoke a nation with which we have not only the relations of vicinage and reciprocal wants, but also the ties which arise from political interests, a common faith, and the kindred of the sovereigns?”

“Sire, to preserve Spain from any imminent ruin, the consequences of which would be fatal to our own tranquillity, you have summoned to arms 100,000 French

men; at their head marches a prince of your family—of that august family always prodigal of its blood when its glory and ours are at stake. Such an army is worthy of having for its chief a prince of tried valour; his virtues form the sure pledge which your majesty presents to the people whom you wish to deliver; to the people to whom is offered a salutary support to assist them in finally escaping from the anarchy which devours them, and in guaranteeing at the same time their own happiness and the repose of nations, under the protection of institutions freely emanating from legitimate authority.

"It belonged to your majesty alone, to deliberate on the great questions of war and peace. This function of the high prerogative confided to you by Providence, you have exercised with that maturity which such grave circumstances demand. For ourselves, Sire, certain of your love for your people, which will induce you to confine the war, if it be inevitable, within the narrowest circle,—confident in your prudence, which will allow no opportunity for concluding an honourable peace to escape,—we receive with respect this important communication, and we repeat with you that we are Frenchmen. Yes, Sire, the peers of your kingdom, to whom the name of Frenchmen is the proudest of titles, possess the sentiments and know the duties of that name, and they will with all their efforts concur in maintaining the dignity of your crown, and the honour and security of the country."

The project of the address from the Chamber of Deputies was not submitted to that assembly, till the 8th of February. On that day the

discussion of it took place in a secret sitting, which lasted from half-past one till eight in the evening. After the proposed address, which was entirely conformable to the principles and views disclosed in the speech from the throne, had been read, M. de la Bourdonnaye, a violent royalist, ascended the tribune. He attacked, in general terms, the conduct of that party in the ministry who at one time were, or were supposed to be, unfriendly to the war. By postponing hostilities so long, time had been allowed to the Spaniards to prepare themselves, whilst, by deciding at an opportune period, M. de la Bourdonnaye thought they would have been taken by surprise, and victory rendered easy. M. de Kergorlay spoke at great length to demonstrate the justice and the necessity of the right of intervention. M. de Villèle, in reply to the attacks directed against him, said that at the period when he was reproached with having testified pacific intentions, the state of the finances and the army did not permit France to commence war; that the government then did every thing that was in their power, by favouring the internal dissensions of Spain; that unreasonable preparations would only have exposed Ferdinand to danger. "Every thing," said he, "which could be done against the constitutional system, was done. It was difficult to supply the extravagant demands for men and money made by the chiefs of bands; but assistance was given them, insurrection was stirred up wherever it was possible. *"

* This celebrated passage in M. de Villèle's speech, in which he avows that he had fomented the civil disturbances in Spain, was stated differently in different

After this speech, the general discussion was closed; the project of the address was read a second time, and two amendments were proposed, one—by M. Duvergier de Hauranne, declaring that the chamber eagerly embraced the last hopes of peace; the second by M. Laine, expressing nearly the same sentiments, but in a manner less explicit. These two amendments gave rise to an animated debate. The left side and centre did not take part in it, till after the discussion had turned on general interests. MM. Cabanon and Leseigneur spoke on the interests of commerce and industry. General Sébastiani pointed out the dangers of an expedition planned to make conquests for absolute power in Spain, in order to introduce despotism into France. General Foy proposed an amendment, of which the object was, that, in the event of war proving inevitable, at least the French territory should be guaranteed from the presence of foreign auxiliaries; and he requested the minister for foreign affairs to make known to the assembly the state of our relations with those powers whose co-operation might be feared.

M. de Chateaubriand commenced his reply from his seat, but at the request of the chamber ascended the tribune, and declared that he was not prepared to answer the questions put to him; that it belonged to the king to conclude

whatever treaties he judged necessary; and that, as the king's minister, he could not divulge the secrets of which he was the depositary; that he could, however, affirm, that as plenipotentiary at Verona, he had not concluded any treaty derogatory to the honour of France. M. Chauvelin was also heard, and proposed another amendment against the project of the address. The chamber rejected all the amendments, by voting the previous question: and the project of the address was adopted by a majority of 202 votes to 93.

The address, which was voted by so triumphant a majority, was much more warlike in its tenor than even the speech to which it was an answer; and it spoke a language less suitable to the popular representatives than the reply of the peers would have been. The peers, in their address to the throne, if they did not repudiate, at least did not re-echo the infamous maxim, that the Spaniards could receive and hold their liberties only from the hands and at the will of king Ferdinand. This deficiency, however, was amply supplied by the deputies; and the more democratic part of the constitution avowed a principle, according to which, if it had any foundation in truth, they themselves could not have existed, and would not then have been assembled in their hall, to betray every principle of freedom. The address was in the following words:—

“Sire,—It is with sentiments always of the most profound gratitude and love, that your faithful subjects, the deputies of the departments, approach to deposit at the foot of the throne the homage of their respect.

“The necessity of the regular vote of the taxes made it our duty

journals. The words given above were the words ascribed to him in the *Journal du Commerce*. Though the difference in the accounts of different reporters should be thought to render the evidence of so audacious an acknowledgment insufficient, yet the charge, when brought by others, remained unrefuted, and all external circumstances proved its truth.

promptly to answer the summons. The approbation of the king, and the public welfare, are our recompense.

"Under a firm and paternal government the internal situation of the kingdom could not fail of improving. The wisdom and courage of the magistrates, the loyalty of juries, whose consciences nothing has intimidated, have defeated conspiracies wherever formed, and justice has destroyed the hopes of impunity entertained by the factious.

"Sire, it was reserved to the most Christian king to raise our temples from their ruins. Thanks to your pious solicitude, religion daily re-assumes that salutary influence which inspires men with more attachment to their duties, more respect for the laws of their country. The conventions, recently concluded by your majesty with the Holy See, have restored to your churches their former pastors. Soon will labour and indignance find, throughout even the provinces, the consolation and relief of which they have been so long deprived.

"The ordinances of your majesty, Sire, have prepared new means of economy, and fixed order in the public accounts. Henceforth, France will be better informed of the legal appropriation of the public funds. She already enjoys the fruits of the progressive improvements of the administration; and an excess of 40 millions above the credits opened in 1822 attests the prosperous state of our finances.

"Yes, Sire, it is by the return to religion, to legitimacy, and to order, that this fine France, enjoying, at length, real liberty, shows to Europe how public calamities may be redeemed.

"Why should the example of our present prosperity and the lessons of our past misfortunes be lost upon a neighbouring state, whose independence we do not question? But can we see, without alarm, the discords which devour her, and abandon ourselves to the dangers with which we are menaced by the calamities which afflict her?

"Destined by Providence to close the abyss of revolutions, your majesty, in his paternal solicitude, has made every effort to guarantee your subjects, and save Spain herself from the disastrous effects of the rebellion of a band of perjured soldiers. A blind infatuation has rejected the counsel of the chief of the august family of the Bourbons.

"Sire, we are Frenchmen; no sacrifices will be considered too great by your subjects, to defend the dignity of your crown, and the honour and security of France.

"It is to your majesty, Sire, that it belongs to deliberate: it is for us to concur, by all our efforts, in the noble enterprise of suppressing anarchy—to recognise peace alone—to restore to liberty a prince of your blood—to ensure the repose of Spain—to consolidate that of France—to deliver from the yoke of oppression a magnanimous people, who assisted us to burst our own fetters, and who can only receive from their legitimate sovereign institutions conformable to their views and manners.

"Sire, your courageous and faithful army, which knew how to condemn the dastardly insinuations of revolt, goes forth with ardour. Under the banner of the lily, at the voice of your majesty, guided by a prince that your heart and your subjects delight in calling

your son, this noble standard will only proclaim enemies to the factious.

"We return thanks to your majesty for the precautions which you have taken to protect our maritime commerce. Your prescient wisdom watches over all our interests, and the naval forces of your majesty, which have so often afforded timely aid to humanity, will maintain with equal devotion the honour of the French flag.

"Sire, your faithful subjects, the deputies of the departments, deeply affected by your royal promises, will repeat them to your people. They will tell them that the most just of kings wills the assembling and maintenance of his armies, only with the view of preserving social order, and defending our country and our institutions from all contagious and disorganizing principles."

On the 10th of February, Villèle brought forward the budget, which, so far as regarded the present year, had been partially settled in 1822.

The grants for 1821, according to the minister's statement, exceeded the charges by 32,537,181*f.* which, in the account presented to the chamber in June, 1822, had been stated at only 31,542,405*f.*, and estimated at that amount in the budget for 1822. The budget of that year also presented a surplus of grants beyond the expenses of 9,292,330*f.* There was, therefore, a sum left unemployed for 1823 of 10,287,106*f.*

In 1822, the credits granted, had been exceeded by 25,355,537*f.* in consequence of expenses not provided for by the law. The receipts of the same year, however, exceeded the estimates; viz. for re-

gistration, 4,806,097*f.*; woods, 275,595*f.*; customs, 8,045,983*f.*; salt, 955,835*f.*; indirect taxes, 10,823,599*f.*; post-office, 700,786*f.*; the lottery, 3,325,625*f.*; miscellanies, 894*f.*; the negotiation of the 12,000,000*f.* realised in 1822, 16,493,592*f.* These sums, deducting 800,000*f.* of defalcations on various articles, made 45,532,322*f.* of excess in the estimated receipts. Thus the adjustment of the budget of 1822 presented the following results:—

Receipts	958,859,983
Expenses	926,201,182
Excess of the disposable receipt on 1st of January, 1823	32,658,801
Which, added to the disposable excess of 1821	10,287,106

Made the surplus applicable to the service of 1823 42,945,907

The minister admitted, that the circumstances, under which these receipts and expenses were about to be placed, imposed the obligation of looking forward to the diminution which might occur in the former, and the increase which might inevitably arise in the latter. The estimates for 1823 had, however, been made on so low a scale, compared with the receipts of 1822, that there was reason to apprehend that the ordinary wants of the current public service would not be covered by the receipts which had been appropriated to them in the preceding session. [See vol. LXIV. p. 197.]

As to extraordinary wants, the minister said, it was impossible to foresee them with precision, and it would be contrary to the interests of the country, to publish beforehand

the detail of the armaments to which the government might think fit to devote its attention. We conceive, said he, that in such circumstances, our duty will be to confine ourselves to asking of the chamber a supplementary credit of 100,000,000*f.*, which the minister of finance cannot touch, except to meet the extraordinary expenses in the different ministerial departments, in virtue of the royal ordinances, which, as well as all the supplementary credits, will be submitted to the ratification of the law, with the accounts of the services for which they might be required. A creation of four millions of *rentes*, added to 42,945,907*f.* of excess on the expenses of the services of 1821 and 1822, will complete for 1823 the means of satisfying the eventual and extraordinary wants for the service of this year.

The minister then took a view of the provision for the receipts and expenses of 1824. In pursuance of the charges, augmentations, and reductions which he stated, the amount of the receipts for 1824 would be 904,334,190*f.*, and the expenses 903,770,014*f.*, leaving a presumed surplus of the receipts to the amount of 564,176*f.* As the law was finally settled towards the end of the session, the ordinary charges were arranged in the following scale:—

1. The expenses of the consolidated debt, and of the <i>amortissement</i> , were fixed at	France.
2. The general expenses of the government were—	
General Expenses ...	525,982,859
Collecting, management, deficiencies..	126,704,489
Reimbursements, &c.	6,089,000

The financial laws, in every stage of their progress, led to the most animated discussion of the policy of the Spanish war; and, the language which had been used in the English parliament being by this time known all over Europe, the French opposition summoned to their aid, as a powerful authority, the consenting voice of that country, where freedom and loyalty were alike revered, and inseparably blended together. In one of the debates, General Foy, in taking a rapid survey of the Spanish revolution, said, that it was reproachable with fewer excesses than any other in history. This remark having drawn forth violent murmuring from the right side, "Gentlemen," said general Foy, "this is not my language; it is that of an English minister, lord Liverpool." "What is that to us? What is this man to us? What is this man?" was the answer made from the ministerial benches. General Foy resumed, "You ask what is this man? I tell you, he is one of the supporters of ancient institutions in England; he is one of the columns of the English aristocracy; a man respected in his country for his probity and moderation; and who passes for having no very lively affection for liberal ideas."

The ministers, especially Chateaubriand, were equally eager to support their system by the authority of England, and by a curious mixture of gross ignorance, and illogical reasoning, found out, that their war against Spain was exactly analogous to our war with France in 1793. In this analogy, besides overlooking the wide difference between the situation and conduct of Spain in 1822, and of France in 1792, they forgot

one circumstance, which, indeed, is too often forgotten even among ourselves—that in 1793 war was first proclaimed, and hostilities were first commenced, not by England against France, but by France against England.

Chateaubriand's most elaborate defence of the policy of the ministers, was addressed to the Chamber of Deputies on the 25th of February. After a tissue of mis-statements and blunders, with respect to what England had done, he continued in these words:

"Our political interests are compromised, the revolution of Spain has destroyed a part of our commerce, and we are obliged to keep up ships of war to protect what remains. The war in Spain, by interrupting our relations with Spain, has reduced to half the value, land in the departments bordering on Spain. A great number of manufactures have lost their vent in Spain; our consuls have been threatened in their persons; in fine, our territory has been violated three times.

"War is then indispensable! It is preferable to this state of demi-hostilities, which has all the inconveniences of war without its advantages, and which exposes our soldiers to all insinuations of the agents of disorders.

"The violation of our territory is enough to justify our armed intervention. England herself declared at Verona—Lord Wellington said there, that the king his master, had no objection to make to the measures of France towards the Spaniards, and especially those to guard against the moral contagion of political principles and the violation of the French territory."

After a few other general remarks, passing to a review of the transactions at Verona, he said,

"After having attended to all the speeches which are made in France against the Holy Alliance, I arrived at the congress with prejudices which are not very favourable to it. I had been a little shaken by the calumnies which were every day repeated; but I saw there only principles abounding in moderation, and kings who were honest men. I recollect that one day the emperor of Russia said to me—I am very glad that you are come to Verona, in order that you may become a witness to the sentiments of Russia. When social order is in danger, policy should neither be English, Russian, or Prussian; there should be a general policy only admitted for the salvation of the people and of kings. Nothing seems more to my interest than a religious war with Turkey; but I have noticed revolutionary symptoms in the troops of the Peloponnesus, and, therefore, I would not assist them. I will never separate myself from the monarchs with whom I am united. I have no need of aggrandizing my empire; and God has given me 800,000 soldiers, only to protect religion and the people. A prince, who holds such language, will not propose any thing to France which will compromise her interests and independence. Thus, whatever has been said at Verona, the allied powers have never spoken of war with Spain, but have only been of opinion that France would be forced to wage war. At Verona no treaty burdensome to France has been spoken of, nor has any passed on the subject of marching foreign troops through our territory. What then did occur there?—only that the great powers, united with France, will give her all their sup-

part, and that France will preserve the high rank that is due to her in Europe."

The violence of these discussions led on one occasion to an exertion of power on the part of the ultra royalists; which showed no small confidence in their own strength. In the debate on the 26th of February, M. Manuel, deputy for La Vendée alluded to the conduct of Ferdinand 7th in terms of strong reprobation; and applied to his sway the epithet "atrocious:" the ultra members instantly exclaimed, that it was insupportable to hear the government of a Bourbon called atrocious! After considerable tumult, M. Manuel proceeded; "Foreign war would, instead of suppressing the excesses of civil war, only aggravate them. If they wished to save the life of Ferdinand, he implored them not to renew the circumstances which had hurried to the scaffold those whose fate inspired them with regret so intense." Cries of "You are justifying regicide!" assailed the speaker from the ministerial benches, "What caused the fate of the Stuarts?" added Manuel, "It was the protection of France, which placed them in opposition to public opinion, and prevented their looking to the English nation for support. Must I say, that the moment, in which the dangers of the royal Family of France had become the most serious, was after France, revolutionary France, felt that it was necessary to defend herself with new strength, and by an energy wholly new."*—Scarcely

had this sentence been uttered, when a general burst of indignation from the ministerial party was manifested: the members of the right simultaneously arose, and demanded that M. Manuel should be called to order. A violent tumult then ensued; and the president, after ringing his bell, and trying every method to restore order, or to procure attention, at last dismissed the members to their separate bureaux. They assembled again in about an hour. In the bureaux, a proposition was adopted, that a commission should be named to consider the conduct of the obnoxious member. Many members thought that a vote for his immediate expulsion should be passed: but this course was rejected on the score of irregularity. On Thursday, M. la Bourdonnaye brought forward a proposition for Manpel's exclusion: a commission was appointed to examine it; and on Saturday the 1st of March, that commission reported, that "they unanimously recommended to the Chamber the expulsion of M. Manuel, on account of the speech which he delivered on the 26th of February, whereby he compromised the honour of his character of Deputy, and the dignity of the Chamber." On Monday the 3rd of March, this report was taken into consideration.

M. Hyde de Neuville then spoke in favour of a more lenient course, and moved that M. Manuel, instead of being excluded absolutely and generally, should be expelled only for the session, leaving the ensuing to resume proceedings or not,

* The following were the offensive words spoken:—"Ai-je besoin de dire qu'au moment où les dangers de la Famille Royale en France sont devenus les plus graves, c'est lorsque la France,

la France revolutionnaire, a senti qu'elle avoit besoin de se defendre par des forces nouvelles et par une energie toute nouvelle?"

agreeably to the sense of what might remain or become the majority of the chamber, by the changes which the elections might produce. This proposition was carried by a great majority.*

* Mr. Manuel was born at Barcelonnette, in the department of the Hautes-Alpes, and was the son of a Notary, who sent him to Rouergue to be educated by an uncle. The uncle, who was an ecclesiastic, soon observed or fancied, that his nephew, along with boldness of character, displayed, even in infancy, considerable natural talents. He sent him to Nîmes to improve his education, whence he returned home from his studies at the early age of 15. He was about to embark in the trade, which the inhabitants of the Alps carry on with Piedmont, when the Revolution broke out, and induced him to alter his plans. In 1792, though then scarcely 17, he entered into the army, and served in the first campaigns in Italy and Germany. He soon rose to the rank of captain of cavalry; but, about the time of the signing of the treaty of Campo Formio, when he had served six years, he retired from the army in consequence of ill health. At that epoch, French advocates were not required to undergo preparatory examinations: they were called "official defenders." M. Manuel performed the part of official defender for several of his friends. On these occasions his talent for pleading became known, and, determining to devote himself to the bar, he repaired to Aix, which, under the new government, was the seat of a court of appeal. There he applied himself to study, and was soon capable of appearing with distinction in his new profession. In 1815 he took an active part against the fanatics and aristocracy of Aix. After the return of Buonaparte, the business of the courts being in a great measure suspended, M. Manuel visited Paris: and he had not been long there, when he learned that two electoral arrondissements of the Hautes Alpes had returned him a deputy. He wished to decline this honour, but being urged by his friends to accept it, he took his seat, and very soon became a leading man in the chamber. On the formation of a committee to draw up the plan of a constitution, in the name of the provisional

VOL. LXV.

Notwithstanding this vote, M. Manuel, on the following day, entered the chamber, supported by many of his friends, and took his seat as usual. The president informed him of the vote of Monday, and advised him to withdraw; he refused, and declared he would yield only to force. The sitting was then suspended for an hour; and in the meantime the principal door-keeper entered and read to him the order he had received for his exclusion. M. Manuel remained firm, and the door-keeper called in a piquet of the national guards: but the serjeant and his men, on being addressed by the members of the left side, declined executing the orders they had received, to remove the refractory member by force. This produced shouts of bravo! from M. Manuel's friends, as well in the galleries as on the floor of the chamber. The gendarmerie were then called in, who laid hold of him and hurried him out of the chambers, followed by all the members on the left side. After his exclusion, the agitation was such, that the president was obliged to adjourn the sitting. On Wednesday morning MM. Foy, Laffitte, and other members of the opposition delivered a protest against the proceedings adopted toward M. Manuel; but the majority, on the principle that it was not competent to deputies to enter any protest, refused to hear it read.

government, he was chosen one of the members. After the dissolution of that assembly, M. Manuel returned to private life. He applied to be admitted to the bar in Paris, but his application was rejected by the Procureur-General Bellart. He was several times put in nomination to represent Paris, but ministerial influence carried the elections against him by small majorities. He was at length chosen for La Vendée.

[M]

All the members, except two, of the left side (that is about 170) withdrew in a body, and the remainder voted the supplies for war. On Thursday, no deputies on the left side were present. The chamber met on Saturday, but no business of importance was transacted. The ministers were present, with only eight members of the left centre, and seven of the extreme left. The protest of the 60 members of the Chamber of Deputies against the exclusion of M. Manuel contained the following passage:—
 “We are convinced that this first step is but the prelude to the system which conducts France to an unjust war abroad, in order to consummate the counter-revolution at home, and to invite the foreign occupation of our territory.”

* This protest, which was not allowed to appear on the records of the chamber, was expressed in these words.—

“We, the undersigned Members of the Chamber of Deputies of the departments, declare, with profound grief and indignation, that we feel it to be our duty to proclaim before all France, the illegal act, which in hostility to the charter, the royal prerogative, and all the principles of representative government, has attacked the integrity of the national representation, and violated, in the person of a Deputy, the guarantees secured to all—the rights of every elector and every French citizen.

“We declare, in the face of our country, that, by this act, the Chamber has overstepped its legal pale and the limits of its authority.

“We declare, that the doctrine professed by the committee which proposed the exclusion of one of our colleagues, and on which that measure is founded, is subversive of all social order and of all justice; that the monstrous confusion of the functions of legislator, accuser, reporter, jurymen, and judge, is an outrage unexampled except in that trial, the remembrance of which has served as a pretext for annulling the powers of M. Manuel.

“That the principles set forth in the

During the remainder of the session, the members of the extreme left abstained from again appearing in their places or taking any share in the proceedings of the chambers.

These discussions in the legislature were accompanied with great agitation in the public mind, which in some cases led to breaches of the peace. On Thursday, the 6th of March, crowds of people, amounting to between five and six hundred in number, assembled on the Boulevards San Martin, and du Temple. They were mostly of the working classes, though some few among them were of a better condition. The gendarmes arrested 29 of them.—Next day a crowd assembled at Port St. Den.

report of the committee, as to the unlimited and retroactive authority of the Chamber, are no other than the anarchical principles which led to the most odious of crimes: That the protecting forms with which the law shields the most obscure person under accusation, and even the *appel nominal*, which on an important occasion can alone guarantee the independence of votes, have been rejected with a frantic and turbulent obstinacy.

“Considering the resolution adopted yesterday, the 3rd of March, 1823, against our colleague, as the first movement of a faction desirous of placing itself violently above all forms, and breaking through all the checks imposed on it by our fundamental compact;

“Convinced that this first step is but the prelude to the system which conducts France to an unjust war abroad, in order to consummate the counter-revolution at home, and to invite the foreign occupation of our territory;

“Unwilling to become accomplices of the misfortunes which this faction cannot fail to draw on our country, we protest against all the illegal and unconstitutional measures lately taken for the exclusion of M. Manuel, Deputy of La Vendee, and against the violence with which he has been torn from the bosom of the Chamber of Deputies.”

nis; calling out "Vive Manuel: Vive la Charte!"—"Mort à la Bourdonnaye." The gendarmerie dispersed the assemblage in a few moments; but the rioters in their flight assailed a party of Swiss soldiers, and wounded some of them, dealing on their way blows on all sides, with bludgeons, knives, and stilettoes. Nine individuals were arrested and conveyed to the guard-house, and from thence to the Prefecture. Among them were a civilian, a physician, and a merchant; the rest belonged to the meaner classes. Several of them were subsequently brought to trial, and convicted of the riot.

The prospect of approaching war excited also much alarm in the manufacturing and commercial districts of France.

On the 10th of February Lyons was the scene of a disturbance, occasioned by the opposition offered by the authorities and the military to the progress of a procession of masks, which, under the privilege of the Carnival, purported to represent the *Funeral of Trade*. The next day, in the afternoon, an individual uttered aloud several times on the Place Bellecour, the ominous cry of *Vive l'Empereur*. Attempts were made by the gendarmes and officers to arrest him, but he was suddenly surrounded by a number of persons, who struck them and rescued him. A strong military force having at last assembled, order was restored, and the offending individual arrested.

Addresses likewise were presented to the chambers, signed by multitudes of persons engaged in different branches of commercial and manufacturing industry, who deprecated war with Spain as fatal to the internal prosperity of

France. Among these classes the belief prevailed, that war with Spain would, sooner or later, lead to war with England; when their commercial marine would be instantly swept away in hopeless destruction. Even though Great Britain should remain neutral, great injury would be sustained from the depredations of Spanish privateers: and that their fears were not groundless, was already attested by the height to which the premiums of insurance had suddenly risen, and the increase which had taken place in the prices of the principal articles of colonial produce.

Rumours, too, prevailed, that Russian armies were assembling in order to support those of Louis, and to be ready to crush any attempts which the disaffected in France might be encouraged to make. The supposed probability of encampments of these semi-barbarous hordes on the banks of the Moselle, the Seine, or the Loire—visitors scarcely less unwelcome as friends than as foes—was the subject of not very pleasing anticipations.

Amid these fears and doubts, Villèle and his associates continued their preparations for war. The supplies were voted by the chambers; and the hopes of the friends of peace (for up to the last moment their wishes led them to hope, contrary to every ground of reasonable calculation) were annihilated by a formal communication of the commencement of hostilities, made by the minister of war on the 10th of April to the Chamber of Deputies. "Gentlemen," said he, "all efforts to stop the course of the faction which governs the councils of Spain having proved fruitless, Monseigneur the Duke of Angoulême received or-

ders to pass the frontier, and, on the 7th of this month, passed the Bidassoa at the head of the army." The financial measures were then completed; and in the month of May the session of the chambers closed.

The details of the war in Spain belong to another chapter. It is enough to state here, that the French ministry experienced, in the execution of their project, none of the embarrassments which had been anticipated. France remained quiet internally; her soldiers showed no reluctance to the service in which they were engaged; Spain presented nothing but treason and cowardice: the invaders did not conquer, because they had no need to fight, but they marched in triumphal procession from the Bidassoa to Cadiz, and saw a powerful nation surrender its independence into their hands without even a struggle for its honour and happiness.

The impression, produced in France by these events, proved, how little the great body of the people of that country (whatever might be the case with respect to enlightened individuals) either understood or cared for the principles of rational freedom. They expressed no regret at the progress of their army in Spain; they seemed rather to take a pride in again strutting upon the stage of Europe in the guise of conquerors; they were told that they were dictating to a neighbour, and their vanity looked no farther. The duke of Angoulême was metamorphosed into a hero, and loaded with eulogies, which would have been extravagant, even if applied to Turanne or to Napoleon. Of course, the language of flattery cannot be mistaken for an expression of

the actual sentiments of men. But the French make high pretensions to taste; and even that secondary principle of human nature would cause some proportion to be kept between the state of public feeling and the ceremonies and addresses which professed to be the expounders of it.

The triumphal entry of the duke of Angoulême into Paris was attended with one circumstance not unworthy of being mentioned. A sentinel at the Tuilleries, conceiving that he was insulted on his post by one of the mob, discharged his musket, and killed the man on the spot. For this he was tried before a court-martial; and, it being proved that abusive language had been addressed to him, he was acquitted. [See Chronicle, p. 162.] Such a mode of proceeding must be admitted to be very singular; nor could it be tolerated in a country, where sound notions of government existed. A soldier is charged with the murder of an unarmed person in civil life; and for this the murderer is tried by a court-martial!—that is, the subjects are to appeal from the fury of one soldier to the equity of many: the refuge of the aggrieved from military violence is to be sought in military law!

The occupation of Spain by French troops, led to negotiations between the French ministers and the English cabinet on the subject of the Spanish provinces of South America. France would have been glad to have figured in the, to her new, character of a trans-atlantic conqueror: but before such a wish could be explicitly avowed, or any step towards it ventured upon, it was necessary to ascertain how far England would permit her to go. And here, for-

unately for the world, the ministers of England interposed a decided negative. The language used by Mr. Canning in his correspondence with the Prince de Polignac, amounted in substance to this:— We claim and enjoy free commerce with the trans-atlantic provinces: we are willing to allow Old Spain the grace and advantage of being the first to acknowledge their independent sovereignty; but should she hesitate, our recognition can in no case be delayed long; that recognition and alliance, too, would be immediately consequent upon any attempt on the part of the mother country to regain possession of the separated states by the aid of foreign arms: neither will we pay the slightest regard to any attempts on the part of Spain to revive the obsolete interdiction of intercourse with countries, over which she has no longer any actual dominion.

The duke of Belluno was minister of war during the continuance of military operations. His dismissal, however, had been expected for some time; for it was believed that Villèle distrusted him, and that the duke of Angoulême disliked him. On the 19th of October he was removed from his situation, and was replaced by the Baron de Damas. The displaced minister was, by way of consolation, appointed ambassador at Vienna; but that court refused to receive him under a title derived from a place within the Austrian dominions.

On the 23rd of December a most unexpected creation of peers took place. Several of the most vehement of the ultra-royalists were included in this promotion;*

which gratified them and their party, at the same time that it removed them from an assembly, where, in consequence of their intemperate zeal, they were sometimes dangerous friends, and enabled Villèle to replace them by more tractable auxiliaries.

On the 24th of December an ordinance was published, dissolving the Chamber of Deputies, and ordering the electoral colleges of the departments to meet on the 6th of March, and those of the districts (*arrondissements*) and of departments having but one college, on the 25th of February. The opening of the session of the chambers of 1824 was fixed for the 23rd of March.

The public attention in Paris (and Paris is France) was, in November and December, more attracted by three trials, which came on before the Court of Assizes, than by the public concerns of Europe. The first was that of a physician, Dr. Castaing. The in-

elevated to the French peerage:—count Frère de Villefranc, archbishop of Besançon; count de Vich, bishop of Autun; baron de Glandèves, brigadier-general; count de Puy-Segur (Gaspard); viscount Dode de la Brunerie, brigadier-general; viscount d'Agoult, idem; count de Mesnard, idem; count de Bourbon Busset, idem; marquis de Juigne; viscount Gabriel Dubouchage; chevalier de Charette; marquis de Croislin; count de Tournon, counsellor of state, formerly prefect of the Rhone; count de Breteuil, prefect of the Gironde; count de Bethisy, member of the Chamber of Deputies; count Chabrol de Crouzol, idem; count d'Orglandes, idem; count de Chastellux, idem; marquis de Villefranche, idem; Laine, minister of State, idem; viscount de Bonald, idem; count de Vogue, idem; count de Marcellus, idem; count de Kergorlay (Florian), idem; marquis de Rastignac, idem; count de Courtavel (Peze), idem; count d'Ambrugeac, idem.

* The following were the individuals

dictament charged him with three crimes—1st, with having administered poison to his young friend, Hippolyte Ballet, about the end of October, 1822; 2ndly, with having, in conjunction with the surviving brother, Auguste Ballet, destroyed the will of the deceased, to convert his property to their joint use; and 3rdly, with having, in the end of May, 1823, made his accomplice his victim, after he had secured the spoil by having induced Auguste to bequeath it to him by testamentary instruments. The poison said to have been employed in both cases, was of a vegetable kind, called acetate of morphine; and it was alleged to have been administered in the last case in a tavern at St. Cloud, where Ballet and Castaing had gone to pass some days of pleasure or relaxation in the confidence of friendship.

There was evidence that Castaing had acetate of morphine in his possession; but there was not the slightest proof that either of the Ballets died of poison, or that any thing obnoxious was administered by Castaing. Many of the witnesses for the prosecution fell into gross contradictions. However, after a trial which lasted several days, [See Law Cases p. 1*] the unfortunate physician was found guilty by the voices of only seven to five, and the court, adding its own numbers to the jury, and thereby constituting a legal majority, condemned him to death, besides heavy damages for having destroyed the will. The proceeding exhibited a curious specimen of French justice. Hearsay-evidence in the third and fourth degree was admitted without scruple; when a difficulty arose, the prisoner was

called upon to explain it, in order to assist in his own conviction; and lastly, when five out of twelve jurors acquitted him, the Court, instead of giving the prisoner the benefit of a doubt which had weighed with five men out of twelve, joined itself to the scanty majority, in order to award the penalty of death!

The second trial was that of a Madame Boursier and her paramour for the murder of her husband. Boursier, one of the richest grocers in Paris, died two or three months before in terrible agonies, attended with circumstances of strong suspicion. It was proposed, on his death, to open the body. His widow, however, opposed the proposal, and he was interred in the cemetery of Père La Chaise. The widow's grief dried up as soon as her husband's remains were interred; and she received the visits of Kostolo her Greek lover, whom her husband had forbidden the house. The suspicions of the family could no longer be suppressed. Boursier's brother procured an order from the proper authorities to disinter the body, and to examine the servant: and a great quantity of arsenic was detected in the contents of the stomach. The proof of death by poison was complete: but there was no evidence to show, how, or by whom, the poison was administered. Both the lady and her friend were acquitted. [See Law Cases, &c. p. 19*.]

The third trial was in some respects more extraordinary than either of the others. The accused were two persons, mother and son, of the name of Leccouffe. The murder was committed on Madame Jerome, a beggar, in the Faubourg du Roule. The crime was con-

altered at first to be without motive, and therefore the more unnatural : but it was at last discovered, that the deceased had a watch, which she concealed in the straw of her bed, and which might have been the inducement of the criminals. The mother, Lecouffe, was first arrested, under circumstances of strong suspicion. During the time that the Judge d'Instruction was examining witnesses against her, the son came forward, and avowed himself the murderer. The account which he gave, both of his motives for committing the crime and his reasons for confessing it, were of the most singular kind. He told the Judge d'Instruction, that he wanted to marry, but could not find money to pay the expenses of his noce, or wedding ; and that having heard of the old beggar's possessing the requisite sum in property or coin, he had taken away her life to get possession of it. He had then married, but soon began to repent of the assassination. His first idea, he said, was to expiate his crime by suicide ; and having heard that brandy, taken in sufficient quantity, would produce death, he had bought a bottle as a certain poison. Having, however, drank two glasses of this mortal liquor, he found that he was the less disposed to die, and therefore postponed the consummation of the process to the following day. In the night-time, the shade of his father, his own guardian angel, and two other angels, with whose physiognomy he was unacquainted, appeared before him, and enjoined him to confess his guilt. He therefore proceeded to the Judge d'Instruction, whom these messengers pointed out, and who happened to be the same person who was drawing up the evidence against his mother. The

judge issued an order for his arrest, on the disclosure of facts stated by himself. The young man denied afterwards the crime, and declared that he made a false confession, to induce the judge to release his mother. However, additional evidence was collected : and the result of the trial was, that the son was declared guilty of the murder and robbery, and the mother, though acquitted of the assassination, was convicted of having concealed the articles stolen, with knowledge of the murder. Both the prisoners were condemned to death.*

In the budget for the year 1822-3, the sum of 29,520,003 francs was set apart by the government for the maintenance of the French clergy. In addition to this, the communes voted 6,407,727, and the councils of the department 1,162,618 francs ; so that the total of the funds appropriated to the

* In the course of this trial, M. Dubois, an eminent physician, was called upon to say whether he observed in the prisoner Lecouffe any appearance of mental alienation. In vain did the physician protest that he saw no mark of derangement ; the counsel for the prisoner, with the consent of the president, insisted upon the head of his client being examined. The doctor felt the murderer's head, which was perhaps destitute of Spurzheim's protuberances—but, after groping all over and round about it, he solemnly declared that he could discover nothing remarkable in the prisoner's skull. The following dialogue succeeded to this examination :—

The President.—“ What is the result of your examination ? ”

M. Dubois.—“ The cranium of the accused presents no deformity, and indicates no kind of alienation.”

Prisoner's Counsel.—“ Can you say, that the accused never has experienced mental alienation ? ”

M. Dubois.—“ It is possible he may have when young—before the bones of the head joined ; but at present there is no kind of deformity ? ”

168] ANNUAL REGISTER, 1823.

clergy amounted to 37,089,745 francs, or about 1,483,589*l.* sterling. The aggregate number of the actual clergy was 35,676: The number of candidates for holy orders, in the seminaries, and in the Theological colleges, was 29,379.

It would appear, that France was availing herself of the skill of our artisans. At the iron-works of Charenton, two hundred Eng-

lishmen were said to be employed; and new works for rolling iron were begun to be built by some of our countrymen on the banks of the Seine near Paris. Two iron steam boats plied regularly from Havre to the metropolis; and in several large cotton factories, the majority of the workmen were obtained from Scotland or England.

CHAP. XI.

NETHERLANDS—Suppression of Roman Catholic Societies; Restrictions on Commerce with France; Session of the States General; Plans of Improvement: Military operations in Sumatra—**DENMARK**—**SWEDEN**: Measures of the Diet; Tenor of the King's speech on the Dissolution of it—**BADEN**—**WEIMAR**—**HESSE CASSEL**—**PRUSSIA**: Establishment of Provincial Assemblies: Prosecutions against Secret Associations: Restraints on the Press—**WIRTEMBERG**: Proceedings of the Diet against the German Observer: Refusal of Wirtemberg to concur in the approval by the Diet of the Proceedings of the Congress of Verona—**BAVARIA**: Measures taken at the recommendation of Austria—**SWITZERLAND**: Measures adopted at the Command of France and the Holy Alliance, against personal liberty and the Press: Swiss Diet: further Demands of the Holy Alliance—**AUSTRIA**—Russian ordinances against Freemasons—Meeting of the Emperors of Austria and Russia at Czernowitz.

IN the beginning of the year, some trifling disturbances took place in the grand duchy of Luxemburg. Subsequently the government of the Netherlands issued a decree for the suppression of two Roman Catholic Societies. One was called "The Catholic Society of Belgium," and had its principal establishment at Brussels; the other, which took the more general title of "The Roman Catholic Society," had its chief seat at Utrecht. The ground for suppressing them was stated in the preamble of the decree to be—"because they were formed without the knowledge and consent of the government, and because they had shown themselves, by divers circumstances, to be institutions, the further existence of which would influence the public tranquillity in a manner the extent of which could not be foreseen."

The government of the Netherlands took no open part in the

political measures of their neighbours: they were wholly occupied with plans of internal improvement, and commercial regulation. Of the latter the most important was a decree, dated the 20th of August, regulating commercial intercourse with France. For the purpose of retaliating upon that country her own narrow prohibitory system, it augmented the duties on some of her productions, and forbade or fettered the importation of others of them.* This

* The following were the heads of this decree:—

Art. 1. The following articles, so far as they are of French origin or imported from France into our kingdom, shall be liable to the following import duties:—
Porcelain, white or painted, per 100lb., 30fr.; china of all kinds, 20fr.; earthenware, 15 per cent.; stockings, caps, mittens, and other articles of wearing apparel, of cotton, wool, or thread, either knit or wove, 20 per cent.; slates per 1,000, 3fr.

2. The following articles of French

measure was not adopted, till after repeated representations on the subject had been made to the king by the chamber of commerce, and the provincial assemblies, and till after all his majesty's endeavours to conclude an amicable arrangement with France, had failed.

On the 20th of October, the session of the States-general was opened at the Hague; and it was remarked, that none of the foreign ministers, except lord Clancarty, were present at that ceremony. The speech from the throne contained not the slightest allusion to the affairs of Spain and Portugal, and breathed in every sentence a mild and liberal spirit; "Every Netherlander," said his majesty, "who looks round him without prejudice, gratefully remarks the advantages which are enjoyed in his free and hospitable country.

"This year" continued he, "is no less distinguished than the last by a productive harvest. An accurate investigation of the interests of the farmers, combined with those of the consumers, has convinced me, that the interference of the law is not required. In the province of Groningen, a society of farmers is forming, with a view to found a system of credit on the land and its produce. The object is to obtain, at moderate interest, ready money, which they can repay in the sequel without embarrass-

ment. If this trial succeeds, other provinces will doubtless follow the example, and the difficulties, to which many farmers were exposed, particularly last year, will be prevented for the future.

origin, or imported from France, are prohibited:—

Glasses and glassware of all kinds, except looking-glasses; cloths and kerseymeres, muriatic acid, nitric acid, vitriolic acid, and brandy distilled from grain.

3. The following articles coming from France shall not be imported, except by sea:—

Distilled liquors, vinegar (of wine, beer, and artificial vinegar), and wine.

"The low price of provisions favours all the undertakings of the national industry; but the greater the fertility of the soil, and the activity of the people, the more care is necessary to obtain a regular exportation, which enlivens trade and navigation, and multiplies our relations with foreign countries.

"The conviction of this truth caused a measure to be adopted in one of the laws last session, to give energy to our negotiations with foreign powers on those important subjects. These could not, from their nature, be otherwise than slow in their progress. Some of them are already in such a state, that we may hope for a favourable result."

In allusion to the decree of the 20th of August, he added "I have hitherto been only once obliged to adopt reciprocal measures to hinder or to limit the importation of foreign productions. It is with regret that I have in this instance deviated from our liberal principles. I shall be happy, if it should promote the revival of those principles in others, and thus be of short duration"

From some of the schemes for internal improvement, which were discussed and approved by the States-general, it would appear, that, in that legislature, as in some others, there was more zeal for the public welfare than wisdom in contributing to it. One of these schemes, which occupied a considerable share of attention, and was warmly received, was a law for exempting from land-tax, during fifteen years, certain buildings

erected by the Benevolent Societies of the Hague and Brussels. The objects of the establishment, which were to be thus encouraged were two-fold—1st, to promote the cultivation of waste and barren lands; and 2nd, to find useful employment for a large number of destitute poor. The Dutch and Belgian legislators will soon find, that neither the state nor associations can cultivate, with advantage, lands, upon which individuals do not think it prudent to expend their capital, or can supply profitable employment to those, whose industry no private capitalist is willing to call into exertion.

In the present year, as in the preceding, some trifling military operations were carried on in Sumatra. These had their origin in some discussions as to religious opinions, which, so long ago as 1819, broke out on the west coast of that island, between the natives of the upper districts of Padang. In consequence of these quarrels, some chiefs of the kingdom of Manangkabang concluded with the Dutch resident at Padang a convention by which they ceded their provinces to the government of the Netherlands, on condition that the inhabitants of those countries should be protected from the attacks of their turbulent neighbours called Padris. The ceded districts were occupied; and, as the Padris continued hostilities, measures were taken in April, 1821, to endeavour to drive them from their villages, situated in the neighbourhood of the Dutch colony of Samawang.

They had assembled to the number of 20,000 men in the environs of that establishment, but lieutenant-colonel Raaff at the head of 500 regular troops, and 13,000

Malays, defeated them in several encounters. In July, 1822, the Malays abandoned him: so that he was forced to suspend any further attack, till he should receive fresh reinforcements. On the 14th of April, in the present year, he advanced to the frontiers of Linto, and made a general attack, which failed, in consequence of the difficulties of the ground and the arrangements adopted by the enemy. His troops were compelled to retreat, with the loss of four pieces of cannon, 21 killed, and 139 wounded, among whom were several officers. However, in the beginning of May, the Padris were repulsed at Pakadan, and finally retired from those parts; so that, in the middle of the year, all was tranquil in the districts of Priaman and Toejoekotta.

When the war with Spain broke out, the king of Denmark published an edict prohibiting all privateers of whatever nation from entering the ports or seas of that kingdom; except in case of evident danger from bad weather, or to avoid the pursuit of an enemy. No privateer was permitted to send prizes to Denmark, or sell them there. Privateers, forced to enter Danish ports, were not to unload, or sell their cargoes, either wholly or in part; Danish subjects, were forbidden, under the severest penalties, to purchase the prizes of foreign privateers. Ships of war, entering the Danish ports, might bring their prizes with them, but were to take them away again; being in the same manner prohibited from unloading them, or selling them or their cargoes, either wholly or in part.

In one part of the Danish dominions, discontent appeared in a very unequivocal shape. The

nobles and superior clergy of Holstein, in petitions presented at two successive times to the German Diet, complained of having been deprived of their political privileges by their sovereign. The Diet, in reply, advised them to wait patiently for the new constitution, which their king was preparing for them.

The Diet of Sweden was exclusively occupied with matters of internal regulations. Some steps were taken towards the repeal of those laws, which prohibited the importation of foreign commodities and imposed heavy taxes on the use of certain luxuries.

One of the measures of the diet was, to present an address to the king, recommending that publicity should be given to the proceedings of inferior tribunals, and of chambers of police. The king, in his answer, admitted his conviction of the advantages of publicity; but chiefly because he wished it to be seen how far publicity was included in the plan of a new form of proceedings, presented by the committee of legislation, he, for the present, rejected the proposal of the Diet.

The session of the Diet, which, by the fundamental compact, ought to last only four months, was, in consequence of their own desire, prolonged seven months more. It was terminated on the 22nd of December by a speech from the king, which, both in language and sentiment, was such as an able and honest constitutional king might address to a free people. "We experience," said he, "the happy influence of an almost insular position"; and when he uttered this sentiment and looked to the conduct of France in Spain, and to the pretensions of the Holy Alliance, he probably felt, that it was that

almost insular position, which deterred foreign bayonets from being pointed against his throne. "If," continued he, "the laws which govern us, have not acquired all the perfection which could be desired, the changes to be made must be the work of time. To endeavour to accomplish those changes hastily, would be to put to hazard all present advantages, and the finest hopes for the future. To precipitate the natural progress which belongs to the genius of our institutions, would be to expose them to those catastrophes of which the present age has furnished striking examples."

Among the minor states of Germany, considerable attention was excited by the discussion, in the second chamber of the States of Baden, on the military establishment of the grand Duchy, and by the obstinacy with which the representatives of the people resisted the wishes of their rulers. The ministers had fixed the estimate for that branch of the revenue at 1,684,000 florins. After some debate, they consented to a reduction of 48,000 florins, but they insisted on the sum of 1,600,000 florins, as absolutely necessary to defray the expenses of the military establishment, such as it had been agreed to by the chamber itself, and such as the obligations of Baden, as a member of the German confederation, required: and they showed, that in the other states of Germany the assembly of the states had allowed a military establishment more considerable in proportion. The chamber would not enter into any details, but persisted in refusing to allow more than 1,500,000 florins. The government then declared, that it had need of the sum re-

quired, to fulfil its obligation as a member of the confederation, and which, by article 68 of the constitution, the assembly of the states could not hinder it from discharging. It therefore required, that the chamber, without abandoning the already voted resolution, should be content with that declaration, and should not prevent the government from including in the budget, by virtue of its right as a confederate state, the military establishment at the sum of 1,600,000 florins. The chamber voted upon this point, on the 30th of January; when the proposal of the government was rejected by 80 votes to 29. The session closed a day or two afterwards: and the grand duke fixed the budget at the sum which his ministers had proposed.

The States of the grand duchy of Weimar were occupied, among other things, with the assimilation of the Jews to the other classes of citizens. The discussions were brought to a close towards the end of May, and the regulations, which were then adopted, exhibit a curious mixture of liberal indulgences and illiberal restrictions. The poll-tax paid by the Jews is abolished; and they are declared liable to military service. That the number of the Jewish families may not increase, only one son of a family is allowed to marry. Marriages between Jews and Christians are declared legal, but the children are to be educated in the Christian religion. The Jews must take family names and have fixed abodes, though they may sojourn anywhere for a time. If they carry on trade, they must pay a protecting duty and a particular toll: they shall not deal in salt, drugs, or grocery. They shall not take 6 per cent., except for

bills of exchange at short dates: otherwise no more than 5 per cent. They may exercise any profession, except those of brewer, baker, and innkeeper.

Hesse Cassel was thrown into some agitation during the month of July, by rumours of a conspiracy against the life of the elector and those who were immediately about his person. The alarm originated from some anonymous letters, containing threats of violence. A reward of ten thousand dollars was offered for the discovery of the persons concerned in the plot: but no further light seems to have been thrown upon the affair, except that the letters were suspected to have been written by a subaltern officer. If there was any conspiracy, its importance was probably much exaggerated. They who engage seriously in a plot against the life of their monarch, do not usually begin their operations by announcing, in anonymous communications to their intended victim, the fate which they are preparing for him. There seems to have been reason to believe, that it was a contrivance of some of the persons connected with the police establishment, for the purpose of magnifying their importance and manifesting their vigilance.

The king of Prussia had long promised new political institutions to his people; but it had likewise been long understood, that this promise, instead of being performed in its spirit by the establishment of a representative body with an integral part of the legislative power for the whole kingdom, was to be eluded by the organisation of provincial estates with limited powers. At length, on the 3rd of August, the anniversary of his birth-day, there was published the

long-expected edict of Frederick William, for the introduction of representative assemblies into the monarchy, by the establishment of provincial assemblies in what was called the spirit of the antient German constitution. A committee, of which the crown prince was president, had been appointed by his majesty to prepare this measure, and to consult upon it with experienced men from each province. Upon the report of this committee, his majesty gave a decree, dated June 5, which ordered 1st, that provincial assemblies should be called into action; 2dly, that landed property should be the basis of the representation; and 3dly, that the provincial estates should be the leading organ of the various subordinate estates in each province.

With respect to the powers of the provincial estates, his majesty was to cause to be sent to them for their discussion the project of such laws as concerned the province only; and so long as there were no general assemblies of the States, such general projects of laws, also, as related to changes in the rights of persons and property, and to the taxes. They were likewise to examine and decide upon petitions and remonstrances, which concerned the special welfare and interest of the whole province or a part of it; and, in general, to conduct all the communal affairs of the province, subject, of course, to his majesty's approbation.

To the general decree, were annexed special laws containing detailed regulations respecting the eligibility of the deputies, the right of election, the convocation and the duration of the provincial assemblies, the communal assemblies, the assemblies of circles, &c.

The special laws were all dated 1st of July, and related severally to the provincial estates;—First, of the march of Brandenburg and the marquisate of lower Lusatia;—Secondly, to those of the kingdom of Prussia, comprising east Prussia, Lithuania, west Prussia; Thirdly, to those of Pomerania and Rugen.

The estates of the first province were to meet at Berlin; of the second, at Königsberg and Danzig alternately; and of the third, at Stettin.

No changes were to be made in these special laws, without the concurrence of the provincial assemblies.

Neufchatel and Vallengin were not included in these arrangements.

It is impossible to consider such provincial assemblies as giving Prussia even the similitude of a free constitution: they are instruments framed, not with a view to promote liberty, but to facilitate and perhaps improve the administration of the country under arbitrary power. Still, they are not without their use. Even when they do not operate as a check upon despotism, they enlighten its understanding, and they mitigate its spirit. However feeble their powers may be, they at least unite men in assemblies for the discussion of public matters: and, at some happier moment than the present, they may overstep the limits prescribed to them, and become the authors of political amelioration.

The Prussian government continued to exhibit a most sensitive apprehension of every thing connected with secret associations or liberal institutions. In the beginning of the year, edicts were issued against all private assemblies,

the object of which was, to pray and to read the bible. The nocturnal meetings of the Moravian brethren were prohibited. The preachers of this sect were forbidden to go in future from one congregation to another. It was intended by these measures to prevent all suspicious correspondence and the circulation of news. At Cologne, public notice was given, that Prussian subjects, who should go as soldiers to Greece, were not to expect any kind of assistance on their return; and "the less so, as the distress, which there awaits them, will have been wholly drawn on them by transgressing their duty as subjects, in attaching themselves to a cause foreign to those duties, and in its own nature criminal."—The press was, as usual, the object of particular solicitude. In May, all the booksellers of Berlin were invited, by a circular from the police, to take great precautions in the sale of books, and to refuse such as had suspicious titles, or contained dangerous maxims. Those, who transgressed this admonition, were threatened with the loss of their licenses.

In Wirtemberg there was a journal, entitled "The German Observer," which excited considerable attention by the freedom and severity of its political discussions. Austria and Prussia signified to the court of Stuttgart their high displeasure at the toleration of so liberal a press; and, finding that, notwithstanding this estimation of their opinions and wishes, the publication of the obnoxious journal still continued, they brought it under the notice of the German Diet. A committee was appointed to investigate the subject. In their report, the committee declared that the *German Observer* was

so full of articles of a revolutionary nature, that the only difficulty lay, not in discovering, but in selecting proofs of its delinquency; that it advocated revolutionary principles, not accidentally and occasionally, but regularly and perseveringly; that all the articles, original as well as borrowed, narrative, argumentative, satirical, political, serious, religious, and literary, were exclusively directed to the circulation of revolutionary views and doctrines; and that the libel on the central committee at Mentz (which gave the first ground for these proceedings) might of itself be justly considered as a direct attack on the diet. They, therefore, recommended to the Diet, to suppress that journal entirely, and to prohibit the Editor, Mr. S. G. Lusching, from engaging for the next five years in the editing of any similar publication in any of the states of the confederation.

On the 30th of May, the report and proposal of the committee were discussed in the Diet. The ambassador of Wirtemberg declined voting. The legations of the elector of Hesse and of the grand Duchy of Hesse Darmstadt, without entering into the merits of the case, thought that the diet was not competent to suppress a journal without previous instructions on that express point given to the members by their respective Sovereigns, but that they might request the ambassador of Wirtemberg to apply to his own government to take steps for the suppression of the *German Observer*, and if the government of Wirtemberg should refuse, they might then take their own measures. The Saxon Ducal legations concurred in this opinion, which was opposed by the ambassador of Austria, as president.

Ultimately a great majority of votes agreeing with the report of the committee, the resolution proposed was put and carried. It was not stated, what share Hanover took in this important discussion.

The government of Wirtemberg not thinking it prudent to incur the further displeasure of their powerful neighbours, the *German Observer* was suppressed. Their ambassador reported to the Diet that the decree had been executed; and on the 3rd of July the representative of Austria, as president of the Diet, replied to this intimation in language most ominous to the independence of Germany:

"The Emperor and King, my master," said this minister at the conclusion of his answer, "has done justice to the conduct of his representative, and to the resolution of this illustrious assembly, founded on the federal law of Sept. 20, 1819; and his Imperial Majesty has thought fit for the present to dispense with the execution of the order he had previously given, to direct, at the same time, the attention of the Diet to other journals, edited in a manner not less dangerous and perturbative; such as the *Gazette of the Neckar*, *Annals of Marchard*, and *National Chronicle of the Germans*, because his Majesty supposes that a sentence, pronounced according to the laws, of the confederation, against the *German Observer*, will make journalists more circumspect, and censors more vigilant.

"The Minister President has consequently heard with pleasure the declaration that the government of Wirtemberg, highly disapproving of some periodical papers which appear in the kingdom of Wirtemberg, proposes to stop

the abuses of the press by severe censorship regulations; which will prevent for the future, in a manner conformable to the objects of the confederation, the degeneracy of the press."

The harshness, with which Wirtemberg was treated in this transaction, arose probably in no small measure from her having withheld her concurrence from a measure, which the allied sovereigns had deemed beneficial to the triumph of sound principles in Germany. In the beginning of the year, they communicated to the Diet the tenor of the proceedings which had been adopted at, and the circular which had been issued from, Verona; and a resolution, amounting to an approbation of those proceedings and that circular, was proposed by the Austrian representative. The resolution was carried: but Wirtemberg, though the vote was delayed in order to give her minister time to receive new instructions, refused to concur in it. In this opposition she was countenanced by Hesse Cassel and Hesse Darmstadt, and in some degree by Bavaria and Hanover.

In Bavaria the government had, ever since the downfall of Napoleon's tyranny, exhibited a very liberal spirit: but it was no longer at liberty to follow the course, which its own principles and feelings suggested; there was a controlling power, acting from without, which forced it to advance in the career of jealousy and restriction.

New instructions were given to the censors of the Bavarian journals, founded on the decree of the German Diet of 1819, and commanding that no article should be allowed to pass, which might give cause to remonstrances from

foreign powers, or which contained the least criticism on acts emanating from another state of the confederation. Prohibitions were issued relative to the associations of students in the Universities of Erlangen, Landshut, and Wurtzburg, and the extraordinary commissioners in those Universities were enjoined to exercise the greatest vigilance in this respect.

These measures were taken in consequence of communications made by the ministers of Austria and Prussia, and after a report of Mr. Pfeffel, the Bavarian Minister at the Diet, on the debates in a secret sitting of that assembly.

Austria had the inclination to carry her interference still further. It was generally believed, that, in the beginning of the year, she made proposals, though without success, to the courts of Munich and Stuttgart, to put an end to the publicity of the debates in the chambers of Bavaria and Wurttemberg.

It was not in Germany alone, that Austria was desirous of imposing shackles on the press: she joined with France and Russia in issuing to the Swiss cantons recommendations, which had, as they were intended to have, the effect of commands. This interference took place early in the spring; its existence was known at first only by the rumours of which it was the subject, and the anxiety which it excited; but it soon manifested itself by effects, that could not be misunderstood. The representative bodies of the cantons were assembled before their usual time; secret deliberations were held; and extraordinary powers of fine and imprisonment were conferred on the council of state. One canton proceeded immediately to the en-

tire suspension of the liberty of the press for two years. In June, the council of state issued two decrees—the one establishing a censorship of the press, or rather prohibiting the printing of any remarks on foreign politics, either directly or indirectly; the other, instituting severe measures of police against foreigners.* These decrees were

* The following were the measures decreed by the Helvetic government with respect to foreigners:—

“Art. 1. No foreigner shall fix his legal residence in any canton, unless he has previously obtained permission.

“2. Every foreigner is obliged to give notice to the police within 24 hours after his arrival in the canton.

“3. Foreigners, who after their arrival in the canton shall desire to remain more than three weeks, shall apply to the director-general of police, at the Alien-office.

“4. Foreigners, who shall reside in the canton without being authorized, shall be sentenced to pay a fine of 500 florins, and to two months' imprisonment.

“5. Keepers of furnished hotels, innkeepers, and house-holders, who shall have lodged foreigners without permission, shall be liable to a fine of 1,000 florins, and to three months' imprisonment; in case of a repetition of the offence, the penalty shall be doubled.”

The decree on the printing of political writings comprises the following articles:

“Article 1. No person shall sell, or cause to be printed, without the previous license of the council of state, works relative to foreign policy.

“2. This license shall not be given, till the MS. has been examined, to see if it contains any thing reprehensible. In both cases, it must be signed by the author and the printer, and deposited in the chancery.

“3. The author, printer, or book-seller, who shall transgress this order, shall be brought before the tribunal, where they may be condemned to a fine of 1,000 florins, and a year's imprisonment. The penalty may be increased, according to the contents of the writings, as the seriousness of the circumstances may require.”

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preceded by an order to all French, Italian, and Piedmontese refugees, to quit the Swiss territory; including even those who had resided there with the permission of their respective governments, and had done so for 10 and 15 years. This order, which was strictly executed, did not result from the extraordinary powers granted to the council of state, but was an exercise of the authority conferred on that body by the constitution.

These proceedings, which were known to have been adopted in consequence of admonitions given by *Austria in the name of the Holy Alliance*, accompanied with lists of names transmitted from Vienna, made a deep impression in Switzerland. For though little account is made there of the liberty of the press, which, except in three or four cantons, can hardly be said to exist, the Swiss felt humbled at receiving dictation from a foreign power, and mortified at being forced to send away numbers of unfortunate foreigners, who were persecuted on all sides, and were without any place of refuge.

In July, the matters, which had excited the jealousy of the Holy Alliance, were brought under the consideration of the Swiss Diet, who appeared fully sensible of the necessity of acquiescing in whatever was demanded of them. A committee was appointed to consider the subject; and the report made by them was such as was better suited for an Austrian minister to receive, than for a Swiss patriot to adopt. They reported, that, if, on the one hand, the circumstances of the times afforded sufficient motives for adopting prudent and general measures of police with respect to the press and foreign refugees, yet on the other hand, none of the res-

lations fixed by the federal compact should be violated, or the sovereign rights of the Helvetic states endangered; on this account a resolution of the Diet would not be advisable: it would be better to send a pressing invitation to all the cantons to adopt vigorous and satisfactory measures for preventing in newspapers, journals, pamphlets, and all kinds of periodical publications, every thing which might be contrary to the respect due to foreign powers, or might give them just grounds for complaint. With regard to the police superintendence of foreigners, they recommended that measures should be taken to prevent fugitives from entering or residing in Switzerland, who had left their country in consequence of their crimes, or of any interruption of the public tranquillity, or who, during a regularly authorised abode in Switzerland, should carry on intrigues against a friendly foreign power, or to trouble internal tranquillity; that the entrance of foreigners should depend on their possessing valid certificates from their recognized local authorities; which, in the case of those whose governments had ministers accredited to the confederation, should be recognised by those ministers. This proposal was unanimously approved.

Still, the Holy Alliance was not satisfied. In consequence of a conference of their ministers held at Paris on the 31st of July, notes similar to each other were presented, on the 20th and 21st of August, to the Helvetic government, by the ministers and *chargés d'affaires*, residing at Berne, for the courts of Austria, Russia, Prussia, France, and Sardinia. The demand was, that about 200 refugees of various countries (many of whom had been long

dead!) should be expelled from Switzerland; and as the sovereigns would not allow them to reside either in their dominions or in Spain or Portugal, these victims of proscription were to receive passports for the United States of North America, to which they were to proceed by way of Hamburg or Bremen. The French minister further required, that Switzerland should consent to arrest and deliver the deserters and refractory conscripts, who might take refuge in that country. In proportion as Switzerland was submissive, the despots of the continent rose in their demands: and before the end of the year, they called upon her, not for restraints merely, but for the total suppression of the liberty of the press; for the banishment even of those foreigners, who had been naturalised in the cantons; and for the abolition of clubs and reading societies.

While Austria was thus busy in the affairs of her neighbours, her own provinces exhibit no event of any importance. She agreed to compound for the debt due from her to the English government by paying a small part of it; and provided funds for the purpose by contracting for a loan in London.

The emperor of Russia extended his hatred of secret societies, even beyond his own dominions: for he promulgated an ordinance, requiring all consuls and vice-consuls in his service, resident in foreign countries, either to resign their situations, or to withdraw from and to abjure all Free-masonry societies, with which they might have been previously connected.

Nothing decisive was yet known as to the course which Russia

meant to adopt, with respect to the celebrated ukase by which she usurped the whole of the more northern part of the western coast of America and the ocean intervening between it and the opposite shores of Asia. On the one hand, it was asserted, that a Russian frigate had driven away some American vessels, which had transgressed the appointed limits. On the other hand, the committee of the society of ship-owners in London, stated, that, having made application on the subject to his majesty's secretary of state, they had been informed, that representations had been made to the Russian government, and that, in consequence, orders had been sent out by the court of St. Petersburg to their naval commanders, calculated to prevent any collision between Russian ships and those of other nations, and, in effect, suspending the Ukase.

The present year cannot boast of the dangerous honour of a Congress, unless that name is to be given to the meeting between the emperors Francis and Alexander at Czernowitz. This interview took place in consequence of arrangements made between the two sovereigns, while they were at Inspruck, in the Tyrol, after the close of the Congress at Verona; and its sole object was, to confer on the affairs of Turkey. Francis arrived at Czernowitz on the 4th of October: on the evening of the 6th Alexander entered it: the latter departed on the 11th of the same month, and the former on the 15th. Prince Metternich was not present: under pretence of sickness, he remained at Lemberg, where he was visited by count Nesselrode.

CHAP. XII.

SPAIN—Delivery of the French, Russian, Austrian and Prussian Notes at Madrid—Proceedings of the Cortes upon them—The Answers of the Spanish Government—The Russian, Austrian, and Prussian Ministers receive their passports—Address from the Cortes to the King—Proceedings in the Cortes after the communication of the speech of the King of France—Close of the Extraordinary Cortes—March of Bessieres and Ulman upon Madrid; their retreat; Ulman's inroad into Valencia—Ferdinand's refusal to concur in the transference of the Government from Madrid; the Ministers removed and restored on the same Day—Another change of Ministry—Opening of the Ordinary Cortes—Removal of the King and Cortes to Seville—Military Preparations—Commencement of the Campaign—French Refugees—St. Sebastian—March towards Madrid—Operations in Catalonia—Arrival of the French at Madrid—Convention with the French—Attempt of Bessieres on the Capital—Establishment of a Regency at Madrid—Treachery of Abisbal—Proceedings of the Cortes at Seville—They appoint a Regency—The Removal of the King and Cortes to Cadiz—March of the French Troops, from Madrid into Andalusia—Cordova—Seville—Operations in the Asturias and Galicia: Defection of Morillo—Corunna—Operations in Valencia and Murcia: Defection of Ballasteros—Riego's expedition: his defeat, and capture—Operations in Catalonia—Arrival of the Duke of Angoulême before Cadiz: his correspondence with Ferdinand: The Trocadero taken: Negotiation attempted by the Cortes: Military operations: Ferdinand repairs to the head-quarters of the French—Surrender of the Fortresses—Termination of the Campaign—Course of Administration pursued by Ferdinand—Change in the Spanish Ministry.

ON the 5th of January, the note of the French government was presented to the Spanish ministers; the notes of the courts of Austria, Russia, and Prussia, were delivered on the following day. These documents were, on the 7th, communicated to the Cortes in a secret sitting; and were received by that assembly, not merely with an unanimous expression of indignation, but with an air of temperate composure, calculated to excite

the most favourable hopes of their steadiness in resisting foreign aggression.

To mark at the same time their inclination to conciliate the friendship of England, a resolution was immediately passed for satisfying the claims of indemnification, which our minister had been urging at Madrid, in respect of losses occasioned to Englishmen by captures for pretended violation of blockade in the West Indies and the neigh-

bearing seas. Spain admitted the claims generally, leaving their particular amount to be determined by future arrangements; and a sum of 40,000,000 of reals (400,000*l.*) was ordered to be inscribed in the great book, to answer them when adjusted.

On the 9th of January, San Miguel read, in an open sitting of the Cortes, the menacing communications from the four members of the Holy Alliance, together with his replies to them. These replies were in the form, the one, of a note addressed to the Spanish minister at Paris; the other, of a note addressed to the Spanish *chargés d'affaires* at Vienna, Berlin, and St. Petersburg [See Public Documents, 154* *et seq.*] These documents insisted on the right of Spain to manage her own affairs without regard to foreign interference, and on the inconsistency of the allied sovereigns in now assailing, with invective and threats of war, the very constitution which they had themselves acknowledged. The reading of the notes was listened to with unbounded applause, both from the members of the legislature and from the spectators in the galleries. Galiano, the head of the violently liberal party in the Cortes, then proposed an address to the king on the present situation of affairs: all voices were raised in favour of the suggestion. Arguelles, the leader of the moderate party, marched, in this instance, *pari passu* with Galiano; and a motion made by him, to adjourn for eight-and-forty hours, that Europe might be convinced of the deliberate coolness by which the councils of the Spanish legislature were directed, was at once approved. Arguelles was appointed a member of the committee of

Diplomacy, charged with the framing of the address; and Galiano bore testimony to his conviction—that, however they might differ on the details of the public service, Arguelles would, whenever the safety and dignity of the nation were at stake, be the foremost in defending them.

On the 10th, the Austrian, Russian, and Prussian ministers applied for passports; which were transmitted to them on the 11th, accompanied by three exceedingly laconic communications.*

On the 11th, Galiano presented to the Cortes the draught of an address to the king, signed by

* These notes were couched in the following terms:

Answer to the Note addressed by the Prussian Minister.—"I have received the Note which your Excellency transmitted to me under the date of the 10th, and, contenting myself with stating in reply, that the wishes of the government of his most Catholic Majesty for the happiness of the Prussian States are not less ardent than those manifested by his majesty the king of Prussia towards Spain, I transmit to your Excellency, by royal order, the passports for which you have applied."

Answer to the Russian Note.—"I have received the note which your excellency transmitted to me yesterday, the 10th instant, and, limiting myself, for my sole reply, to stating that you have shamefully abused (perhaps through ignorance) the law of nations, which is always respectable in the eyes of the Spanish government, I transmit, by order of his Majesty, the passports you desire, hoping that your excellency will be pleased to leave this capital with as little delay as possible."

Answer to the Austrian Note.—"I have received the note which your excellency was pleased to remit to me, dated yesterday, the 10th, and having now only to say, that the government of his Catholic Majesty is indifferent whether it maintains relations or not with the court of Vienna, I send you, by royal order, the passports which you have required."

himself, and by Canga, Alava, Arguella, Saavedra, Ruer de la Vega, Adan and Salva. It was to this effect [See Public Documents p. 157*]: that the Cortes manifested to his majesty, that they had heard with the greatest astonishment the assertions contained in the notes of the cabinets of Paris, Vienna, Berlin, and Petersburg; because these diplomatic communications, besides being inconsistent with the established practice of civilized nations, were insulting to the Spanish nation, its Cortes, and its government; and that they had, at the same time, heard with the greatest satisfaction the judicious and decorous answer made by the Spanish government, exposing the falsehood of the imputations cast on the nation, and expressing its determination to maintain its rights. After some further observations on these points, the address concluded by declaring, that the Cortes were prepared to maintain, at every risk, the dignity and splendour of the constitutional throne, and of the king of the Spains, as well as the independence, liberties, and honour of the Spanish nation, and to decree whatever sacrifice might be necessary for the preservation of interests so invaluable. It was voted without one dissenting voice. The reply of the king was communicated to the assembly on the same day; it breathed the most ardent sentiments of patriotism. "The sentiments," said his majesty, "of honour and national independence, so profoundly rooted in the hearts of Spaniards, offer me the securest guarantee, that the existing political institutions—the object of their predilections—will continue unalterable, notwithstanding the efforts of their most violent ene-

mies; how, in this respect, can I entertain the slightest doubt, when I am a witness of the effusion of the patriotic sentiments and generous resolutions, which will render the sittings of the National Congress on the 9th and 11th of this month eternally memorable?"

"For myself, convinced more and more of the imperious necessity, that all the children of this great family should assemble round the constitutional throne, I will steadily follow the route which my duty prescribes to me: and if the spectacle of a nation, devoted to the defence of her independence and laws, do not restrain those who meditate to invade her, I will place myself at her head, certain of victory in the most just of causes, which is, at the same time, that of all the free nations of the earth."

Amidst all this excitement, the British ambassador continued to exert his endeavours to preserve peace. The course, followed for this purpose, was, by recommending to the ministers to make some modifications in the constitution: for if that were conceded, we believed that France, on her part, would withdraw her army of observation, after which harmony between the two neighbours might easily be restored. The Spanish ministers, however, would not listen to any proposals of concession; such a suggestion, they declared, could not even be mentioned in the Cortes.

The approaching war was the only subject, which occupied the attention of the Cortes in its successive meetings; and on every occasion the mention of it called forth expressions of the most stubborn resolution never to yield. The speech of the king of France to the Chambers was communi-

cated to the Cortes on the 5th of February by a royal message; and to the message was subjoined a series of propositions, which had for their object to accelerate and extend the preparations of the military department. On the 6th, a project of decree was discussed for giving efficacy to the ministerial demands of the day preceding. The eager patriotism of more than one of the deputies out-stripped the demands of the government for supplies, and led them to recommend a scale of enlistment even more liberal than that required by the ministers. The existing establishment of the army being about 67,000 men, the first article of the decree proposed an immediate addition of 29,978 men, to be drawn from all the provinces of Spain, according to their population. Young men, who had completed their 17th year, might be admitted as substitutes, or as volunteers. Soldiers, who had already served, might be re-enlisted by the government. The militia was to be rendered disposable. The importation of arms, ammunition, &c., was authorized; and 200 gunboats were ordered to be fitted out and manned, for the defence of coasts and harbours.

The finances, too, occupied much of the time of the legislature; and vain endeavours were made to remedy by enactments, those deficiencies in the produce of the taxes, which arose, in some degree, no doubt, from the want of good official arrangements, but, infinitely more, from the poverty and the disturbed state of the country. One of the measures adopted was, to authorise the government, during the first four months of the year, to accept produce in discharge of the arrears due from the towns

and diocesan juntas, and to compound with individual debtors to the treasury.

On the 19th of February the sittings of the extraordinary Cortes were closed. "Some diplomatic relations," said the king, in his speech on this occasion, "have been interrupted during the sittings of these Cortes; but these misunderstandings between cabinet and cabinet have increased the moral force of the nation in the eyes of the civilized world, where honour, probity, and justice are professed. On seeing that Spain does not capitulate with her degradation, a just idea will be formed of the firmness of her character, and of the happy influence of the institutions by which she is governed.

"The king of France has declared to the two chambers of the legislative body, his intentions with respect to Spain. Mine are already public, and are attested in the most solemn manner. Valour, decision, constancy, love of national independence, and the increased conviction of the necessity of preserving the national code of 1812—these are the vigorous answers, which the nation must give to the anti-social principles expressed in the speech of the most christian monarch.

"The circumstances, in which the public affairs are placed, are of a serious character; but there is no occasion to be apprehensive for my government or for the Cortes. My firm and constant union with the deputies of the nation will be the secure guarantee of a happy issue, and of the new days of glory which are preparing for us. The day for the opening of the sessions of the Cortes is near at hand. A new field of patriotism is about to

present itself to the representatives of the nation, and to me new motives for making my sentiments public."

While the Cortes were doing all that could be done by words to vindicate the dignity of their country, Mina was more usefully employed in prosecuting his operations in Catalonia. As the enemy had disappeared from the field, all that remained to be done was, to reduce the few places of strength which were still in their hands. In this the constitutionalists were successful. The Seo d' Urgel was defended by the partisan Romagosa with great obstinacy; but famine at last compelled him to abandon it; and, towards the end of January, that fortress was occupied by Mina. On the 28th of February, Mequinenza surrendered by capitulation. Many wandering bands, however, still continued to traverse Catalonia and Arragon, though they were almost uniformly defeated, whenever they were overtaken by the constitutionalists.

While the cause of the soldiers of the faith was thus unsuccessful in that quarter of Spain, where it had a few months before flourished in the greatest strength; the intrigues of France and the hopes of her support caused disturbances to break out anew in other provinces. Of these attempts to support the cause of despotism, the most daring was one which was conducted by two foreigners—Bessieres, a Frenchman, and Ullman, a Swiss. Bessieres had commanded at Mequinenza, on the Ebro; and in January, he had broken up from that place, in order, as it would appear, to march upon Saragossa. Being opposed by Velasco, he was obliged to change his purpose, and then, instead of dispersing his

troops, as most of the other chiefs would have done, he formed the bold design of making a forced march upon the capital by Catalonia and Sigüenza. His band was increased on the way, by the junction of all the discontented, and when he passed Guadalajara, he commanded not fewer than between 5,000 and 7,000 men. The troops, that could be despatched from the garrison of Madrid, hastened under the command of general O'Daly to oppose the assailants. The capital was thrown into the greatest alarm; the royalists were at the distance of only a few leagues; and if they were once within its gates, re-inforced as they then would be by numerous friends connected with the court, and masters of the person of the king, the consequences might be most fatal to the existing authorities. The result of the first engagement was not such as to diminish the alarm. On the 25th of January, O'Daly, with a column of 1,000 men, including 160 cavalry, arrived near Brihuega, between three and four o'clock. He there discovered a post of the insurgents, consisting of 60 lancers and a company of infantry. A squadron of the regiment of Alcantara charged them, and they instantly dispersed. When O'Daly arrived in sight of Torrija, the royalists proceeded towards the heights of Levante, where they took a position. Some men, whom they had left as Guerrillas, were obliged to retreat. The commandant of the constitutional troops sent forward the companies of Guadalajara, and the squadron of Alcantara on the left of the road. Three pieces of artillery were left in the road with some infantry and a company of cavalry; while a battalion of militia advanced on

the right with a piece of artillery, to attack the village of Torrija. The troops on the left, with the greater part of the cavalry, behaved tolerably, but those on the right immediately gave way before the royalists, after having had some killed and wounded, and fell back, with their artillery, to the distance of a quarter of a league from the heights. The infantry on the left then began to give way; and finally, O'Daly was not only repulsed, but was obliged to abandon three pieces of cannon. That general retired to Guadalaxara, where he threw up entrenchments at the palace of the duke del Infantado, and there he was soon joined by reinforcements, which were sent to him from Madrid.

As soon as the news of this affair was known in the capital, the government; being dissatisfied with the conduct of O'Daly, sent general O'Donnell, count del Abisbal, to replace him. That officer, supported by the corps of general Velasco, advanced against the royalists, who had taken up a position in the neighbourhood of Guadalaxara, forced them to retreat from that post, and routed them in different skirmishes. On the 29th of January, they attempted to defend the bridge of Amon on the Tagus, and likewise the defiles leading to Sacedon; but failing at every point they retreated by Huete and Cuenca. Pursued during the whole of the month of February by the constitutionalists, Bessieres and Ulman separated. The former took refuge in Arragon and Navarre; and his forces, by the beginning of March, were nearly all dispersed or destroyed. The other directed his course towards Valencia, where he mustered so much strength as

to possess himself of the fortress of Murviedro, oppose the constitutionalists in the field, and even threaten the capital of the province. On the 2nd of April he endeavoured to intercept a considerable constitutional force under colonel Don Antonio Bazan, who was marching southward from Castellon, at the head of 1,000 veteran soldiers, to the relief of Valencia. Between Almenara and Murviedro, the insurgents amounting to 5,000 men, with three pieces of artillery, presented themselves before him, but were immediately attacked and overthrown. The exaggerated accounts of Bazan represented Ulman as having lost on this occasion 1,000 men, together with a number of ammunition-waggons, and 1,000 muskets.

The last labours of the Cortes had been to pass a decree providing for the transference of the seat of government to Cadiz, or some other town, in case the capital were menaced by the invasion of a foreign army. On the 19th of February, after the dissolution of the extraordinary legislature, the ministers waited upon the king, to consult him about the execution of that decree. His majesty showed great repugnance to comply with their wishes, or to authorize any arrangements for leaving the capital; accusing them of having acted contrary to his commands in making the proposition which had received the legislative sanction. He further insisted that such a measure, partaking of pusillanimity, and betraying the want of means of resistance, would have for its result the most fatal disorders. The ministers answered, that their determination was fixed; that they were responsible to the Cortes; and that it was not in the power of the

king to reject a measure of high policy, decreed by the Cortes, conformably to the articles of the constitution, which charge them vigilantly to maintain the security of the state. "They would, then, transfer me against my will?" observed the monarch. "Yes, if the Cortes ordain the translation of the government," replied the minister of justice, "I would, without hesitation, sign the order to take you away bound, in case of absolute necessity." After declaring that he would not comply with the decree, the king required the ministers to surrender their seals of office. The decree of destitution was countersigned by Egea, the minister of finance, in consequence of a previous understanding with his colleagues, that any one of them, to whom his majesty should apply for such a purpose, would first sign the decree, and then tender his own resignation.

As soon as these events became public, great agitation took place in the popular clubs, among the adherents of the ministers, and the party that had supported the decree of the Cortes, to which his majesty showed such repugnance. A crowd collected around the palace, vociferating menaces against the person of the king, calling out for a regency, and testifying, in every way, their indignation at the dismissal of ministers, and its cause. The crowd was not great, but appeared to be guided by some persons of higher station and great influence: and they would probably have even entered and proceeded to the apartments of the king, had they not been restrained by the grenadiers and the militia, who dispersed them. Egea, who had remained with the king, at

length obtained from him another decree to restore the ministers to the offices of which he had deprived them. The deposed ministers were therefore replaced in their respective situations, and the public tranquillity was restored. On the following day (the 20th), a multitude met in the square and signed a petition demanding a regency. During this scene of turbulence, which created little alarm, and was attended with no excesses, the great body of the citizens remained calm and orderly. On the same day, the king summoned the council of state before him, and complained of the menaces of his ministers. The ministers, far from denying any thing, defended their language, and insisted, that every individual, the king not excepted, was subject to the constitutional decrees of the Cortes. The council of state could only offer the king one consolation; and that was, to remind him that he possessed the right of dismissing his ministers whenever he chose. What derision was this, when the king was compelled by the vociferations of the assembled populace, to reinstate at midnight on the 19th, the very ministers whom he had dismissed at six o'clock in the evening!

On the 1st of March the ministers again tendered their resignations, which were accepted. Several of the individuals, who were named to the vacant offices, declined the honour; and after a fortnight's uncertainty, a new cabinet was formed, composed of Don Manuel Garcia Barros, as minister of the interior,—Don Sebastian Fernandez Valles, as minister of grace and justice,—Florez Estrada, as minister of foreign affairs,—Torrijos, as minister of war,—and Calvo de Rosas, as minister of

science. The former ministers, however, were to continue in the management of affairs, till they had made the necessary reports to the Cortes, and till the government had reached its ultimate destination.

On the 1st of March, the session of the ordinary Cortes was opened. The king, pleading indisposition as his excuse, did not attend in person; but the secretaries of state, on his behalf, delivered to the president his speech to the deputies, the language of which was such as became the circumstances of the country.

"The Most Christian king," said Ferdinand, "has stated that 100,000 Frenchmen are to come to settle the domestic affairs of Spain, and to amend the errors of our institutions. When before were soldiers commissioned to reform laws? In what code is it written, that military invasions may be the procurers of national felicity to any people? It would be unworthy of reason to refute such anti-social errors, and it would not be decorous in the constitutional king of the Spaniards to apologise for the just national cause before those, who, in order to subdue every feeling of shame, cover themselves with the mantle of the most detestable hypocrisy.

"I trust that the energy, the firmness, and the constancy of the Cortes will form the best reply to the speech of the Most Christian king. I hope, that, steady in their principles, and resolved to walk in the path of their duty, they will always be the Cortes of the 9th and 11th of January, and ever be found in all respects worthy of the nation which has intrusted to them its destinies. For my part, I can only offer to the National

Congress the co-operation of all my efforts to realize hopes which the friends of liberal institutions place in Spain, by carrying into execution all the measures within the compass of my authority to repel force by force. The seasonable removal of my person and the Cortes to a point less subject to the influence of military operations, will paralyse the enemy's plans, and prevent any suspicion in the impulse of the Government, the action of which ought to be felt in every point of the monarchy." To this speech, a suitable answer was returned on the 5th.

In the sitting of the 2nd of March, a member proposed, that the Ministers should be called in, and required to state, what precautions they had taken for the defence of the kingdom, and what arrangements they had made to transfer the seat of government to a safer place than Madrid. The ministers declared, that they had taken all the measures in their power for the defence of the kingdom against foreign invasion, but that they experienced obstacles in changing the seat of government. The Cortes on this decreed, that on the following day (the 3rd) they would take into consideration the necessity of changing the seat of government, and determine on the city to which it should be transferred.

Seville was finally the place which was selected; its principal recommendations were, its remoteness from the French frontier, and its moderate distance from, and facility of communication with Cadix, which was with reason looked upon as the last strong-hold of the constitutional cause.

When it was announced to his Majesty, that the court and govern-

ment, were to be transferred to Seville, he endeavoured to avoid the journey, on the plea of indisposition. A committee, composed chiefly of Physicians, was appointed to report on the royal health; and as his Majesty's real or pretended attack of the gout was found not to be so severe as to render him unable to travel, his departure from Madrid was fixed for the 17th of March. A further respite of three days was afterwards granted to him: and on the 20th of March, he set out from the capital. He was escorted on the road by a body of troops, composed chiefly of Militia, and arrived in Seville upon the 10th of April.*

Though the preparations of Spain to meet the impending conflict were far from being proportioned to the danger which threatened the constitutional system, her rulers did not altogether neglect the means of resisting the invader. Armies were ordered to be levied, and allotted to the defence of the different provinces; and considerable assiduity was displayed in provisioning and putting in a state of defence the fortresses on the eastern and western frontiers—Figueras, Barcelona, Tarragona,

Lecida, and Urgel on the one; and Pampeluna, St. Sebastian, and Santona on the other. The armies were commanded by the first military characters of Spain. Mina was appointed to conduct the struggle in Catalonia; Abisbal had been invested with the command of Madrid. Ballasteros, although holding a seat in the Cortes, whose members were held by the constitution incapable of filling any office under the crown, was exempted from that disability by a special law, and set over the eastern provinces of Arragon, Valencia, and Murcia; while Morillo declared his readiness to forget the clamour which had not long before compelled him to leave Madrid, and assumed the command of the North of Spain, including Galicia, Asturias, Leon, and the bordering part of old Castile. Villacampa, in the mean time, was to form an army of reserve in Andalusia; while Morillo and Ballasteros were to harass the enemy by provoking them to frequent skirmishes; and thus, by gradually weakening them, to prevent the French army from marching into the interior. The superior numbers of the invaders, however, defeated this plan. Out of the 70,000 men that composed it, it was not difficult to find a number sufficient to neutralise the efforts of those Spanish troops that were to operate on their flanks, and allow the main body of the army to march forward into the interior without danger or embarrassment.

On the 15th of March, the Duke d'Angoulême, generalissimo of the French forces, left Paris and proceeded to the frontiers. When he arrived at Perpignan, he found it necessary to take measures to crush a plot which had been formed against the success of his expedition.

* The following is the Itinerary of his Majesty's journey from Madrid to Seville, as arranged before his departure:—March 20, Aranjuez, 7 leagues; 21st, Temblique, 7; 22nd, Madridejos, 4; 23rd, Villarta, 5; 24th, Manzanares, 5; 25th, a halt; 26th, Valdepinas, 4; 27th and 28th, a halt; 29th, Visillo, 4; 30th, La Carolina, 6; 31st, a halt; April 1st, Balen, 4; 2nd, Andujar, 5; 3rd, Corples, 7; 4th, Cordoba, 5; 5th and 6th, a halt; 7th, Carlota, 6; 8th, Ecija, 4; 9th, La Luisina, 3; 10th, Carmona, 6; 11th, Seville, 6.—Total, 88 leagues.

The journey was, however, actually completed in one day less than the time proposed.

among several French insurgents, and which, it was generally believed, embraced officers of high rank. The whole affair has remained wrapt in mystery; for, although General Piat, the alleged ring-leader of the plot, and two of his accomplices were arrested, the French government took no further public measures in the affair.

On the 2nd of April, the duke d'Angoulême published a proclamation addressed to the Spanish nation. He assigned as his reasons for approaching their territories, and interfering in their political arrangements, the repeated provocations that had been given to his Most Christian Majesty by the revolutionary faction that seemed to bear sway in Spain. He thought it high time to counteract the fatal effects of a contagion, which had already spread itself over Naples and Piedmont, and had gone far to destroy the loyalty of the French army. He hoped that he would be assisted in his attempt to save the independence and glory of Spain, by the steady and faithful co-operation of all who were the friends of order and established law. "Spaniards," said he, "all will be done for you, and with you. The French are, and wish to be, only your auxiliaries; your standard alone will float on your cities; the provinces traversed by our soldiers will be administered in the name of Ferdinand by Spanish authority; the most severe discipline will be observed; all that shall be necessary for the service of the army, will be paid for with religious exactness." A formal order was immediately issued to the French troops, enforcing the strictest discipline: and in the event it was proved to the world, that a French army does not necessarily carry

along with it, spoliation and crime. Their progress through Spain was marked by no cruel excesses. In every instance they manifested a desire to respect the laws and property of the country through which they marched. The French soldiers formed, in this respect, a very striking contrast to the conduct of the army of the Faith, who indulged in all manner of excesses towards those who differed from them in opinion. It was intended, that they should have formed the van-guard; but their wanton misconduct rendered it necessary to place them in the rear; and the approach of the French soldiers was hailed in every district, by the more respectable Spaniards, as a deliverance from the barbarities of their own countrymen.

On the 6th of April, military operations commenced, and some of the divisions of the French army reached the banks of the Bidassoa. Here another attempt was made to shake the fidelity of the invading troops. Not more than a hundred exiled Frenchmen, commanded by one Carron, were seen on the further side of the river, clothed in the uniform of the old imperial guard, and waving the tricolor standard surmounted by the eagle of Austerlitz. In thus displaying every ensign, that was most likely to revive in the army associations of the revolutionary war, and feelings of hostility to the reigning family of France, they seem to have acted, more for the sake of parade, or from the impulse of the moment, than in pursuance of any regular and well-concerted scheme. Three discharges of grape and one of shot from a small battery of cannon, followed by a volley of musquetry, put the refugees to flight; and when terror no longer

prevented them from stopping to mark the consequences of their folly, they found that four of their officers and seven privates had been killed or wounded.

On the 7th, a bridge was thrown across the river, and on that and the following day, the whole of the French army passed. The Spanish detachments which were in the small frontier towns, retreated before them in good order, and threw themselves into St. Sebastian. The French immediately appeared before this town; and about two o'clock of the afternoon of the 9th of April, sent in a flag of truce, requiring the surrender of the place, to be held in deposit for Ferdinand 7th, by a Bourbon prince. While the answer to this proposition was preparing, the left wing of the French made a movement in advance, and opened a heavy fire of musquetry on a Spanish galliot which was anchored in the harbour. A message was immediately sent to the French commander, informing him, that, if he did not withdraw his troops and replace them in the points which they occupied when he sent in the flag of truce, reprisals would be made upon it. This threat had the proper effect: the fire was discontinued, and the enemy's troops withdrew to their former position. After the flag of truce had returned to the French camp, a detachment of 160 men was sent out from San Sebastian, for the purpose of reconnoitring the enemy. This detachment, however, got engaged with some advanced corps of the French, and was finally charged by 1,500 of the Royal guard. A battalion was sent out from the garrison to support the detachment, and prevent it from being cut off. A warm action then commenced,

The Spanish troops, though greatly inferior in number to the enemy, fought gallantly, and succeeded in saving the detachment. On the Spanish side, there were two officers killed, three wounded, and 18 privates killed and wounded. The French loss was considerable. During the remainder of the campaign, a loose blockade of the place was maintained. The governor, to facilitate the procuring of the necessary supplies, declared the port free.

Leaving the blockade of San Sebastian to be managed by prince Hohenlohe, the duke d'Angoulême proceeded towards Madrid. On his march to the capital he remained several days at Tolosa, and arrived at Vittoria just about the time that general Vallin was passing the Ebro without resistance. It was difficult to ascertain, what were now the precise plans which the Spaniards intended to pursue. They abandoned almost every thing; yet, at insulated points, they fought obstinately: they retreated before the French, and yet the latter seemed to dread their strength or their cunning: for their advances into the interior were made with much caution and slowness. Many instances might be given of the inconsistency with which the Spaniards acted. Thus, they made no exertions to defend the bridge of Miranda, the consequence of which was, that not only general Vallin, but likewise the duke of Reggio, crossed the Ebro without difficulty; while, at Logrono, a corps of about a thousand Spaniards, commanded by the Brigadier Julian Souchez, were fighting desperately against the van-guard of general Obert; and when they were compelled to yield to superior numbers, they continued the struggle in the houses, and

streets of the town. The same spirit pervaded the inhabitants of Pampluna and Santona. They refused to comply with the terms proposed to them, and made preparation for a protracted siege.

The head-quarters, after continuing for about a month at Vittoria, were moved to Burgos; and there the duke d'Angoulême joined the divisions of the duke of Reggio, which had arrived there on the 22nd of April. The halt at Vittoria arose, it was supposed, from an expectation that the left wing of the army under Moncey would soon penetrate through Catalonia, and establish communications with the main body. For a while Moncey met with but few obstacles in his career; and the road to Barcelona was open before him. But he saw the danger of advancing rashly. The French army could have proceeded along the plain which stretches between the mountains and the sea through the whole extent of Catalonia to the frontier of Arragon and Valencia, if Mina could have been dislodged from the stations which he occupied on the mountains: until that was effected, Moncey saw it would have been madness to penetrate further: for the troops of Mina would have immediately descended from the mountains and harassed his rear. Mina's forces, distributed into three divisions, each consisting of 3,000 men, were spread along the banks of the Fluvia; and to this point accordingly the French general directed the strength of his army. Having concentrated his scattered troops, he presented himself before Mina. General Domadieu was, at the same time, bringing down, through Campredon, the reserve divisions to attack his rear. Mina retreated

without giving battle. Two great advantages were now gained by Moncey. He, first of all, possessed himself of Girona, and, in the second place, had it in his power to advance further into the interior, whenever he thought it expedient to do so: for Mina was now so far behind him, that he could not be suddenly attacked on the rear. Although, however, the path was open before him, and although he would have been justified in acting with more confidence since the fall of Saragossa, which, being evacuated by Ballasteros, had yielded to the left wing of the French army, under the command of Molitor, he saw that he could not co-operate effectually in the general plan of the campaign. The obstacles presented in Catalonia put it out of the power of the invaders to bring it immediately under subjection. The contest in that quarter would obviously be protracted, and would afford Moncey sufficient employment: but provided he was active in watching the enemy's movements, the skirmishing in Catalonia could have but little influence on the fortunes of the war in the other parts of Spain.

The duke d'Angoulême arrived at Burgos on the 10th of May; and from thence, the whole army began its march upon Madrid. The generalissimo was himself at the head of the centre division. They met with no opposition. Morillo gave way before them on their right; and, on their left, Ballasteros was employed in watching the movements of Molitor. When they arrived before the capital, terms were proposed by the constitutionalists: and a convention was agreed upon, by which Zayas, with those troops which were under his command, was to retain

the possession of the town, till the French were ready to enter. Abisbal had been able to muster only 5,000 men in the capital, who were willing to make a stand against the invaders. To have given the enemy battle in such circumstances, would have been exposing his troops to destruction, and the capital to danger, without a chance of gaining any one advantage by the sacrifice. He could not prevent the enemy from entering Madrid; and the object he now aimed at was, the safety of the inhabitants, who, surrendering upon terms, would be secured against all the excesses of the army of the Faith. Bessieres, however, who had previously combined his operations with those of the left line of the French army, advanced to the neighbourhood of the capital; and on the 20th, at the head of a column of more than a thousand infantry and cavalry, presented himself unexpectedly at the gate of Alcala. He then detached a party of ten lancers to reconnoitre, who penetrated as far as the Custom-house, and were joined by a few inhabitants. This event obliged Zayas to order a company to advance, which, after firing on the aggressors, compelled them precipitately to retreat as far as the Cibeles, where Bessieres was stationed. This general himself immediately came forward to speak to the commander of the company, who observed to him that he must retreat, and that he could not keep the position he occupied without violating one of the articles of the capitulation concluded with the chief of the French army. "It is to the latter alone," said Zayas, "that the place shall be given up; besides, according to the laws of war, the capitulation should be scrupu-

lously observed. If the French general were informed of what passes, he would be grieved, because he had testified the warmest desire to preserve public tranquillity, and has offered me his own soldiers to attain that object."

In spite of these reasons, Bessieres answered, that, accustomed to conquer, he was resolved to enter Madrid, though he should do so by main force. Zayas, then replied, "Place yourself at the head of your column—fight! If you conquer, you shall enter Madrid, but not otherwise."

Zayas immediately gave orders for the constitutional troops to attack the column of Bessieres, which kept up a warm fire from the gate of Alcala. The garrison drove back the enemy's troops; but between the two *Ventas* the latter made a stand, and a general action ensued. However, the artillery of Zayas soon threw disorder into the ranks of Bessieres: a squadron of cavalry then charged them and completed the route. In this action the royalists lost about 80 men killed, a great number wounded, and 700 prisoners. In consequence of this unfortunate event, the French general, Obert, pushed forward his van-guard, and entered on the morning of the 23rd, a day sooner than was otherwise intended. The conduct of the French upon this occasion deserves some praise. They denied to the royalists all right of retaliation on the constitutionalists who had made resistance to the army of the Faith. The regency acted otherwise. They afterwards erased from the list of the Spanish army the names of the regiments who had fought under Zayas.

Such were the events of the Spanish campaign up to the day.

when the duke d'Angoulême marched into the capital. The opposition made to him in his progress through the country had been feeble: every district, through which he passed, was completely at his disposal; and perhaps the absence of stout resistance was a principal cause of the moderation which he and his officers exhibited. The government of the subdued towns, which lay between the frontiers and the capital, had been uniformly entrusted to Spaniards; and, in like manner when he arrived in Madrid, continuing in the same course, he convoked on the 23rd of May, the supreme councils of Castile and of the Indies, and requested them to appoint a regency; a form of government which was thought to be the best adapted to the state of the country. These councils being assembled by their respective presidents, the duke of Infantado and the duke of Montemar, decided on the same day by a majority of votes—that the councils of Castile and the Indies, according to the laws of Spain, and the practice and custom observed in the kingdom, never had possessed, and did not possess, the power of proposing or appointing to the offices of regents of the kingdom, and that therefore they were not competent lawfully to propose or nominate the members of a regency, as desired by his royal highness; but, being solicitous to afford him a proof of the just estimation in which they held his resolutions, and taking into consideration, on the one hand the state of captivity in which the king was kept, as also the critical circumstances of the nation—and, on the other, the beneficent wish manifested by his royal highness, to ensure success in a matter of

Vol. LXV.

such importance to the nation, they had agreed, that, if his royal highness should deem it proper, they would transmit for his approval the list of persons whom they thought the best fitted to be invested with the office of regents *ad interim*. This proposal was acceded to by the duke d'Angoulême, who required, however, that the list presented to him should consist of precisely the same number of individuals as were to compose the intended regency. On the following day, the councils transmitted the list of individuals whom they judged best qualified to be regents of the kingdom:—they were the duke of Infantado, the duke of Montemar, the baron d'Eroles, the bishop of Omsa, and Don Antonio Gomez Calderon. These individuals were, in a proclamation issued by the duke d'Angoulême, recognized by him as regents of the kingdom, and assumed the exercise of supreme authority.

Spain was now in a melancholy situation. Violent animosities prevailed, between the hot-headed adherents of the army of the Faith on the one hand, and the most factious of the constitutionalists on the other. Both of these classes bore keener hatred to each other than to the foreigners who had overrun their country. The influence of the duke d'Angoulême was thus strengthened and increased. There was no union among the Spaniards themselves—no great display of national feeling. Divided in political sentiment and inveterately attached, each to his own opinions, they looked to the French for assistance and protection against the violence of their fellow-citizens. These dissensions were daily weakening the cause of the constitutionalists; while their enemy had

nothing to fear and every thing to hope from their existence. Treachery, too, began to display itself; and Abisbal was the first to set an example, which was not the less disgraceful, because it found, many imitators. In an answer, which he wrote to a letter of the conde de Montejo, he pointed out the weakest parts of the constitutional system, and declared the constitution of 1812 to be at variance with the wishes of the majority of the nation; he proposed that such changes should be made in the Spanish constitution as would satisfy the French, and that the king should return to Madrid; he thought a new Cortes should be called, a new ministry formed, and an act of indemnity passed. These opinions were communicated secretly to one of the commanding officers of the army he pretended to oppose. But no sooner had Montejo published the letter, than Abisbal professed himself willing to adhere to his duty and his oath, and to shed his blood in defence of the constitution, which he had just before condemned as being a form of government that had been forced upon the nation against its will. The constitutionalists, however, would no longer trust a general who had once deceived them; and Abisbal, to shun the contempt and indignation of his countrymen, chose to seek protection among the ranks of that army into whose hands he would have betrayed them.

While the French were thus proceeding successfully in Spain, the Cortes continued to be as busy as ever in using the most pompous language of patriotism, and as negligent in the active employment of the means necessary for the salvation of the country. The deputies having arrived at Seville

in sufficient numbers for transacting business, the session was resumed on the 23rd of April. The re-commencement of their sittings was celebrated by the president, Flores Calderon, in a speech which eulogized in the most ridiculous bombast their own heroic virtues, and those of the nation. On the same day, Garcia Barros minister of the Interior, and Vallesca, minister of grace and justice, resigned their appointments; and their resignation was followed by some official arrangements which terminated in naming first, Calatrava, and then Garcia Herreros, minister of the Interior, and Zorraqin minister of war.

The Cortes approved of a proclamation of war against France, which had been signed by the king on the 23rd of April; prepared manifestoes; discussed plans; denounced punishments against traitors; and voted decrees for conducting the Campaign successfully. But when, in spite of the votes, they saw the French in tranquil possession of Madrid, and threatening Seville, they began to make arrangements for withdrawing to Cadiz. As it was known that the king was most averse to such a step, and as his obstinacy might involve the government in considerable difficulties, sir William A'Court took the opportunity of recommending to the Cortes to negotiate with their adversaries. For this purpose, he, on the 8th of June, offered them his mediation, proposing to go in person to Madrid, and promising to do all in his power to bring back favourable conditions. The Cortes replied, that they stood in no need of any foreign interference; at the same time they expressed their gratitude for his good intentions.

On the 9th, there was a grand sitting of the council of state, in which the prince of Anglona declared, that they ought to negotiate with the duke d'Angoulême. This advice being rejected by the council and the Cortes, the prince gave in his resignation. On the 10th, there was a very stormy sitting of the Cortes. On the 11th, the king was waited upon, and was requested definitively to state, whether he was willing to set out for Cadiz. His majesty replied, that, so far as regarded himself, he had no objections to go, but as he considered his transference to Cadiz as being contrary to the interests of his people, he would not yield to the demands of the Cortes but by force. After this, on the night of the 11th, there was another sitting of the Cortes, in which, on the motion of M. Galliano, it was decreed, that the king was in a *state of mental insanity*, and that being thus incapable of conducting the government, the Cortes ordered him to be carried to Cadiz, and appointed a regency in his stead, composed of Valdez, Ciscar, and Vigodet. The minister of England then sent a note to the government, in which he stated, that, as he was accredited to the king, and not to a regency, he could not follow the king to Cadiz without further instructions. The Cortes, to remove the scruples of sir W. A'Court, ordered his letter to be answered by a declaration, that his majesty would be under restraint only on his journey, and that he would resume his functions in Cadiz. Sir William replied, that he could not go; for that he did not see his objection removed by the proposed arrangement. He therefore remained at Seville for new instructions; as did likewise

the minister of the United States of America, the ambassador of the Netherlands, and the ambassador of Sweden.

At eight in the morning of the 12th, don Gabriel Ciscar, one of the members of the regency, waited on Ferdinand, explained to him what had been done up to that time, and pointed out the necessity of his proceeding on that day to the isle of Cadiz. The king replied, that he was ready to undertake the journey.

While the preparations for the removal were in progress, messages were repeatedly interchanged between the regency and the Cortes; and general Espinosa was appointed to command the escort. At one o'clock, the troops of the line, and the Madrid and Seville militia were under arms and ready to march; the baggage was shipped on board of vessels in the river, and every thing was arranged for a prompt departure. But at four o'clock, rumours were spread, that his majesty, notwithstanding he had in the morning stated to Ciscar that he was ready to undertake the journey, now refused to move. This report excited great discontent, and a general alarm prevailed. At five o'clock, the troops drew up in a line extending from the Alcazar to the extremity of the city. General Espinosa passed frequently along the line, and every preparation appeared to be complete, but still the agitation continued. At last, about six o'clock, the household coaches began to be put in motion; and in about half an hour after, the king and the royal family entered their carriages, and, followed by their suite, drove off towards Utrera.

The only member of the diplomatic body who accompanied them,

was the *chargé d'affaires* of Saxony, whose sovereign was uncle to the queen of Spain. They passed the night of the 12th at Utrera; that of the 13th at Lebriga; that of the 14th at the Puerto de Santa Maria; and on the 15th they made their entry into Cadiz.

On the 18th, the deputies embarked on board a steam-boat, and arrived in Cadiz on the 14th. Immediately before the king's entry into that city, the three regents made a formal communication to the minister Calatrava, that they had resigned the executive power with which they had been intrusted during the journey of the royal family. On the same day, a preliminary meeting of the Cortes was held, at which only 89 deputies were present. At their next sitting, 110 members attended; that number was afterwards augmented to 118. One of the first acts of the government was to announce to the British ambassador the king's restoration to his royal functions. Sir Win. A'Court, however, did not repair to Cadiz; he took up his abode in Gibraltar. The Cortes continued their sittings to the 6th of August, when their ordinary session terminated.

The news of the removal of the king from Seville, excited strongly the wrath of the Madrid regency; and that body issued a decree denouncing confiscation and death against the members of the Cortes, and all others who had been accessory to it.

In the mean time, the French troops began to act with more vigour than they had hitherto done. Generals Bourmont and Bourdesoult at the head of two divisions, consisting each of seven thousand men, were ordered to advance upon Seville and Cadiz; and Mo-

litor, instead of co-operating with Moncey in Catalonia, was directed to march down upon Valencia, and thence upon Murcia and Granada. As the left column under Bourdesoult approached Mansanares, colonel Abad, the guerilla chief, fell back into the pass of Despenaperros, where the main body of his army had entrenched itself. The duke de Dino succeeded, on the 7th of June, in surprising the Spanish rear-guard; drove on the 9th the constitutional chief, Placentia, from a strong position which he had taken at Despenaperros; and entered Cordova on the 18th. This town the French found already in the hands of the royalists. A counter revolution had been effected, and the constitutionalists had left the town at the disposal of their adversaries, and under the influence of sentiments hostile to their own.

Bourmont, in the meantime, who with his division had advanced by the way of Estremadura, reached Truxillo on the 11th. The divisions of the French, having united there, continued to press on towards Seville, until they were informed, on their march, by a courier of the English minister, that Ferdinand had been transferred from Seville to Cadiz, and that a provisional regency, invested with the executive authority, had been appointed. Bourdesoult then, turning off from the direct road to Seville, where his presence was not necessary, as that town had declared against the constitutionalists the moment that the Cortes had quitted it, pressed on to Cadiz. In consequence of this movement, Lopez Banos, who wished to supply his army with clothing and equipment, was enabled to march on to

Seville. At day-break, on the 16th, he presented himself before the city, in the direction of Triana: the royalists, who had been joined by the carabineers and guards, opened their fire from the left of the Guadalquivir and the houses of the Triana, protecting the head of the bridge with two pieces of artillery. Lopez Banos formed a column sufficiently strong to overawe the enemy, and force him to abandon the bridge, which was immediately passed by the constitutional troops, together with the cavalry and artillery. The enemy then retreated in the utmost disorder, and it was supposed that he would make no further resistance; but, on the contrary, the city gates were immediately closed, and they, as well as the houses and streets, were defended. Two of the principal gates were battered by artillery; and, at length, the royalists were dislodged and pursued. Lopez Banos having levied his contributions, and made some prisoners, retreated by a circuitous route, and reached Cadiz with 2,500 troops.

While the great body of the French army was advancing against Cadiz, general Bourck was employed in suppressing the constitutionalists throughout the Asturias. Campillo and Palarea had there offered a zealous resistance to the French. The former of these officers crossed the Deba, and made an effort to raise the siege of Santona. A division of the French army, however, under the command of Huber, came down, through Reynosa, upon his rear, and forced him to retreat. Again he advanced, and again he failed. General Bourck, in the meantime, entered Oviedo, and afterwards followed the retreating Spaniards across Galicia towards Corunna.

At this time, the Spanish cause received another fatal blow by the defection of Morillo. On the 26th of June, he published a proclamation declaring the members of the Cortes to be traitors. The only pretext which he offered for this sudden change in his sentiments and conduct, was a wish to preserve Galicia in a state of neutrality. At first, he disavowed the regency installed at Seville, and appointed a junta for the district which he commanded; professing his determination, at the same time not to yield to the foreign invaders. For this conduct he was severely reprobated by Quiroga, who denounced him as a traitor, unworthy of the confidence of an army, and assumed the command in Galicia. Morillo recriminated but unsuccessfully. He had a conference with general Bourck at Lugo, on the 10th of July, and finally threw himself into the arms of the French, carrying with him about three thousand men.

The loss of Morillo was but ill compensated by the acquisition of sir Robert Wilson; who, with a few other Englishmen, set out to join the constitutional forces in defence of the liberties of the peninsula. He made an expedition to Oporto with the hope of securing the co-operation of the Portuguese; but the counter-revolution had taken place in that kingdom, and the last spark of what sir Robert deemed true freedom was just expiring as he arrived in Portugal. He returned to Spain, and lost no time in marshalling troops to defend Corunna. Quiroga gave him his advice and assistance; and both of them seemed ardent in the cause in which they had embarked. They were attacked on the morn-

ing of the 15th of July, by general Bourck, who, after a warm contest, forced the Spaniards to seek refuge within the walls of the town. Sir Robert Wilson and his friend colonel Light were both wounded. But although sir Robert had bled for Spanish freedom, he was by no means partial to French captivity; and this, he feared, would be the result of his remaining in Corunna. Accordingly, Quiroga and himself suddenly disappeared. They had sailed in a steam-packet for Vigo. There the English general remained to resist Morillo, who was advancing against it at the head of an army composed of French and Spanish soldiers. Quiroga sailed for England; and in the meantime, Novella assumed the command of the garrison in Corunna.

Bourck, during the first week of August, prosecuted his advances against that place with vigour, and met with a very stout resistance. On the 6th and 7th of August, the city sustained a heavy cannonade, which did considerable mischief. The wants, both of the inhabitants and of the garrison, being very pressing, general Novella, on the 10th summoned the principal officers of the garrison to a council, in which the question of further resistance was discussed. The different opinions were drawn up in writing, and signed by the officers. Some wished to hold out longer, in the expectation, that the troops operating externally might oblige the enemy to raise the siege; and because, at all events, the keeping the French occupied in that quarter, might prove useful to the constitutional cause. The majority, however, thought that no advantage could be gained by continuing the defence. At

last, the commandant of the Granada corps proposed, that the overture of an armistice should be made to the besieging general, on the ground that reports had been received of negotiations being commenced between the constitutional government at Cadiz and the duke of Angoulême. This proposition being unanimously approved, a correspondence was immediately opened with general Bourck, which led to the calling of another council on the following day. After communicating the correspondence to this council, general Novella formally submitted the following question, viz:—"Is it proper to negotiate on honourable bases, or to continue the defence of the place?" Twenty-six officers voted for negotiation, and only four—namely, the sub-inspector general of engineers, the chief of the staff, the commandant of the engineers, and the first constitutional alcalde—voted for continuing the defence. Von Hallen, the chief of the staff, in his vote, which he reduced to writing, stated, that the resources of the place were sufficient for continuing the defence, and that he considered a surrender, under the existing circumstances, to be highly dishonourable. In the course of the negotiation, Bourck dexterously availed himself of the submission of Ballasteros, which had taken place by this time, and which he represented to Novella as an example to be followed. The convention between Bourck and Novella was signed on the 13th of August. It provided, that the entire garrison of Corunna should pass under the command of Morillo, captain-general and commander-in-chief of the Spanish army in Galicia, upon the same conditions as were agreed to in

Lugo between the French and Spanish generals;—that the governor of Corunna would immediately send two Spanish officers, accompanied by two French officers, to Morillo to make known the submission, and to receive his orders;—and that Morillo should stipulate with count Bourck for the interests of the corps and the individuals, who composed the garrison and population of Corunna.

Palarea, who had made a brave stand at the bridge of San Payo, seeing that he could no longer successfully resist Morillo, retired into the interior with the design of exciting a revolutionary spirit among the peasantry; and sir Robert Wilson entered immediately into a correspondence with Morillo relative to an armistice, in which he made certain propositions and used certain expressions, that required some ingenuity on the part of his friends to explain in any rational sense. From this time the zealous patriot ceased to interfere in Spanish affairs, and soon after arrived in England. Palarea was defeated in the object of his march into the interior. The peasantry of Galicia were not to be excited; and, in his march to Castile, he was intercepted by general Margueyre, who compelled him to surrender, and sent him with his detachment of 1,200 men as prisoners of war into France. Corunna was entered on the 21st by Morillo, and Galicia was thus finally conquered.

The fortune of the Spanish constitutionalists had likewise suffered and reverses in the South-Eastern quarter of the kingdom, Ballasteros, having unsuccessfully attempted to make himself master of Valencia, fled before the advancing army of Molitor, and retreated to Murcia,

Molitor entered Valencia on the 30th of June. He next cut his way by the bridge of Aleira over the Zucar, and soon after drove Ballasteros from Murcia. His next step was, to march down upon Granada. On his way thither, arriving at Guadix on the 24th of July with the advanced guard, Molitor learned that the enemy's army had taken a position to await him. General Zayas, who commanded a separate corps, was at Granada; Ballasteros and Balazar, with the main body and best troops of the army, had advanced, as secretly as possible, from the environs of Granada and Jaen, to Guadalhuertona, upon the right of the road from Guadix to Granada, hoping that the French, in ignorance of their movement, would be compromised in advancing imprudently upon the latter town. Molitor, however, immediately made arrangements to attack them on the following day. On the 25th he marched, with one division, from Guadix upon Moreda; ordering another division to advance upon Guelago from Gor, and a third to march upon Almais. The Spaniards who depended upon their cavalry, hastened to send 1,200 of those troops in advance to Guadalhuertona, where there were only 400 men to oppose them. General Bonnemains, who had the command of this advanced guard, did not hesitate, however, to begin the attack. The Spanish squadrons stationed in advance of the town, and those which occupied it, were first routed, and then three regular charges were made upon 1,000 cavalry; who, after offering an obstinate resistance, were thrown into disorder, and pursued two leagues beyond Guadalhuertona.

After this failure, Ballasteros

having still nearly 12,000 men, retreated upon Huelva, and made several marches and counter-marches. The French followed all his movements; and having learned that on the 27th he had fixed his position in the steep mountains of Campillo de Aronas, they resolved to attack him there. Being unable to obtain subsistence from any place but Granada, which was occupied by Zayas, Molitor, on the 27th, sent General Ordonneau upon that town with five battalions and a regiment of cavalry. General Zayas retreated at his approach, but agreed to leave a battalion there, to maintain tranquillity till the arrival of the enemy. When the French troops appeared, this battalion hastened to join them.

On the 28th, Molitor assembled his troops at Montelegrar at an early hour in the morning, having made all his dispositions for the attack on the preceding day. He posted the division of General Loverdo on the right, in order to take possession of the heights which commanded Campillo, and putting himself at the head of the 6th division, which was followed by the troops of General Dornon, proceeded by the left to take the enemy *à revers*. The march of the columns was effected so simultaneously, that they arrived and began the attack at the same time. The infantry of Ballesteros crowning all the heights, his reserve troops advanced rapidly to turn the right wing of General Loverdo; but that officer, with a battalion of riflemen, supported by the regiments of the line, in close column, quickly repulsed them with a considerable loss, and made himself master of the position of Las-Albuncles. At the same time, General Bonac-

reinas made a successful attack upon the mountains which command Campillo. Upon the left, where General Molitor was, the enemy sought to defend the approaches to Campillo; but General St. Chamans, at the head of two regiments of Chasseurs, forced his way into the town. The enemy, driven out from Campillo, fled in the direction of Cambil: but being obliged to pass under the fire of the division of General Loverdo, they were constrained to throw themselves towards the left, where General Pellaport, after having carried the steep position of El-Gastillo, occasioned them fresh loss.

Ballesteros had still a considerable force; but this was his last exertion in the cause of the Spaniards. He entered into a negotiation with the French, and having concluded a convention with them on the 4th of August, became more subservient to the wishes of the invaders, than either Abisbal or Morillo, whose dishonourable example he chose to follow. He bought, at the price of his fidelity, the continuance of rank and hire in the army to himself and his inferior officers. He sold his character, and received in return from the adherents of the duke d'Angoulême cantonnements and regular pay.

Before it was known in Cadiz that Ballesteros had proved unfaithful, a plan had been formed for making a vigorous effort in behalf of the constitution in the quarter which had been intrusted to him. For this purpose, Riego, on the 17th of August, left Cadiz. Arriving at Malaga, where Zayas was with 8,000 men, he ordered Zayas to Cadiz, and himself took the command of the army in Granada, in the exercise of which he is accused of having, out of 200

for his party, both violated the liberty and sacrificed the lives of some of the inhabitants. While he was collecting his strength at Málaga, three divisions of the French army, under the command of Bonnemains, Loverdo, and Juan Caza, advanced to surround him. To avoid this he quitted Málaga on the 2nd of September; and having first met the division of Bonnemains, who was proceeding from Guadix by the way of Almería, he changed his direction to the South, and came into the vicinity of the army of Ballasteros at Alcala la Real.

General Ballasteros, on his side, being informed of the movement of Riego, had sent two of his brigades to Carabucy and Lucena, and had but a few troops at his quarters at Priego, when Riego appeared there on the 10th of September. He, however, advanced to meet him, and, mingled with his sharpshooters, ordered the firing to begin, which killed an aide-de-camp and several soldiers of Riego. The troops of the latter, however, instead of returning the fire, threw up their caps in the air, and joined the soldiers of General Ballasteros, who then thought that the latter wished to unite with them. A conversation took place between Riego and Ballasteros; and they retired to the quarters of the latter, where Riego endeavoured to persuade him to lead his troops against the French, offering to serve under him as a simple aide-de-camp. His proposal being rejected, he availed himself of a precaution, which he had taken, of sending some of his own troops to surround Ballasteros' quarters, and made that General prisoner, along with all his staff. He then tried, but without success, to seduce his troops. In the mean time, the

brigades stationed at Carabucy and Lucena, having learned what was passing at Priego, and the fate of their general, marched to his deliverance. Riego having thus totally failed in his enterprise, and fearing to be overtaken by the troops that General Molitor had sent in pursuit of him, hastily retreated upon Alcandete and Martos. Not one officer, not a single soldier of General Ballasteros, followed Riego; on the contrary, a number of his men, among them two entire squadrons, joined the army of that General on the 11th.

While these events were taking place, Lieutenant-general Foinsec Latour, who was at Cordova, collected his troops, and advanced to Andujar; and Lieut.-general Valin arrived at Ecija with his division. On the other hand, Bonnemains closely followed Riego, and at length overtook him on the 18th at Jaen. Riego, who occupied that town with about 2,500 men, and was levying contributions, endeavoured to defend himself there, but in a few instants the town was in the hands of the French. The Spaniards rallied on the heights behind Jaen, but were forced successively from one position after another, till they were driven beyond Mancha Real.

On quitting Mancha Real, Riego took the direction of Iodar; intending, probably, to try whether he could be more fortunate with the part of the army of General Ballasteros cantoned about Ubeda, or to attempt at least to reach the Sierra Morena, or the mountains of Sagra: but to prevent this, Foinsec Latour had already, on the 18th, sent Colonel d'Argout with 8 squadrons of chasseurs, and three companies of infantry of the Royal Guard, toward Bejizar, to continue

on the 14th his movement on Iodar; and, by a forced march, he had repaired himself, with some dragoons, and five companies of the second regiment of the Guard, to Beesa, in order to check the enemy, in case he should have passed Iodar, before d'Argout's arrival.

The village of Iodar, by its position, appeared to be necessarily a decisive point for him who should first occupy it. Colonel d'Argout, therefore, leaving his infantry behind, made all speed to reach it: but when he arrived on the 14th at noon, Riego had gotten to it an hour before, with about 1,500 foot and 500 horse. D'Argout took advantage of the surprise which his sudden appearance caused, and, without suffering himself to be delayed by the fire of the posts, made his regiment proceed along one of the exterior sides of the village, to the other extremity, where the enemy's infantry had formed two squares, between the roads of Quesada and Cabra. One of these squares was charged and broken by the first squadron; which, supported by the second, advanced immediately upon the cavalry, and put them to flight. During this time, the other square had succeeded in gaining the mountains against which Iodar in a manner leans; and there the men who composed it, dispersed in all directions. Riego himself escaped, and found refuge in the mountains, where he continued wandering the remainder of the day, accompanied by about twenty followers on horseback, fifteen of whom were superior officers. Exhausted with fatigue and hunger, he met the hermit of *La Torre de Pedrogil*, and an inhabitant of Vilches, named Lopez Lara. He took them aside and said—"My friends, you have now an opportu-

nity of making your own and families' fortunes; you have only to conduct me, unobserved, to Carolina, Carboneras, and Navas de Tolosa, where I have good friends, who will procure me a guide to Estremadura, whither I am desirous of proceeding." The hermit and his companion refused his offers; but Riego caused them to be seized and mounted upon two mules, declaring to them at the same time, that, whether willing or not, they should serve as guides to the troop.

At night-fall they proceeded onward. Riego spoke to his companions, of his journey from Madrid into Andalusia, of the places where he found acquaintances, &c; and from this unguarded conversation, the guides concluded that he was Riego. At day-break, they found themselves near a farm. Riego said, that they would demand an asylum there; on which Lara knocked at the door, and it so happened, that one of his own brothers, named Mateo, came and opened it.

Riego, fearing that too numerous an escort would betray him, would permit only three of his followers to enter with him. One of these was an Englishman, who, impressed with mistrust, hastily closed the door, locked it, and retained the key. They fed their horses, and reposed themselves in the stable with their drawn swords by their sides. Riego on awaking, peremptorily said to Lopez Lara, that he must get his horse shod. 'Well,' replied the latter, 'I will go and get it done at Arguillas.' Riego insisted that Mateo should undertake the commission, not by leading the horse to Arguillas, but by fetching a farrier. Lopez had only time to whisper to his brother—"This man

is Riego: give information to the magistrates."

Possessed of that intelligence, Mateo gave information to the authorities; and he promised so to manage, that Riego should be at breakfast, when an armed force should surround the house.

Riego in fact sat down to breakfast immediately on learning from Mateo that the farrier was coming forthwith: but the Englishman, constantly impressed with his fears, did not quit the window, from which with a telescope he kept a look-out all round. Suddenly he exclaimed, "Commandant, we are lost!—here are armed persons advancing." "Arm!" cried Riego, but that instant Lopez and Mateo seized the carbines, and cocked and levelled them at the fugitives, saying, "The first, who moves, is a dead man!" They had already grasped their swords, but the resolution of Riego all at once forsook him. He allowed Lopez to tie his hands behind his back. He even said to him—"Have the goodness to tell the men who are coming, not to hurt us, since we are your prisoners." In a few moments, the Alcade entered, followed by an armed force, and conducted the prisoners to Carolina.

Amid all these disasters, Mina continued faithful. Having left his gallant coadjutor Milans, to cover Barcelona, he withdrew with the other division of his army into Upper Catalonia, where by rapid and skilful movements he at once harassed and eluded the enemy. D'Eroles, who was pursuing him up the Ter, towards Campredon and the French frontier, urged Moncey to direct all his force against Mina. Moncey did so; but was unable to gain any important advantage. Mina was at

Berga, in a station which opened to him the road to Barcelona. Donnadieu straightway proceeded to intercept him, but was met at Castellersal by a detachment, who had sallied out of Barcelona under the command of Rotten. The French general was exposed to a long and heavy fire, and at last was defeated in the object he had principally in view. Mina was far out of his reach and at Cellent; and while they imagined he was in the neighbourhood of Cardona, he had crossed the Pyrenees at Campredon, and was traversing the borders of France. D'Eroles and St. Priest used every effort to preclude the possibility of Mina's retreating upon Urgel; but he cut across the Pyrenees, and soon after we find him in Barcelona. The combined forces of Curial, Donnadieu, and D'Eroles now prepared to complete the overthrow of Barcelona; and ill health, produced by the fatigue which he had undergone during his campaign among the mountains, prevented Mina from taking an active part in the defence of the town. The French had not calculated well on the chances of failure. There were frequent sallies made on them from Barcelona, and their rear was perpetually kept on the alert in repelling the advances of Milans. The Spaniards shifted their scenes of action so often and so quickly, that Moncey was obliged to divide his army, and after all found it difficult to station them at the points, where their assistance would most probably be necessary. Thus, when he had driven the enemy from Igualada and believed that they had retreated to Cervera, he ascertained that they had forced the passage of the Llobregat and were in his rear. Moncey, at length, despairing of

taking Barcelona in the present circumstances, left count Curial with a large detachment before the walls of that city, and pressed down upon Tarragona. Here he was equally unfortunate. Before he had completed the investment of the place, a sally was made from it, on the division that he had stationed at Torre Lambarra under General Berger. Moncey immediately ordered all the French divisions to be concentrated, and to be carried forward against Tarragona in one great mass. His orders were executed on the 30th, and so warm was the reception which they met with from the town, that they were ultimately compelled to fall back to their former positions. Tarragona remained unshaken; and as Moncey had found it necessary formerly to collect his scattered forces that he might strengthen the blockade of Barcelona, so now he thought it prudent to withdraw his army from Barcelona to reinforce the troops that were to watch the enemy within the walls of Tarragona. In that neighbourhood an important advantage was gained by Milans over the French army, consisting of 10,000 men, and commanded by Moncey in person. The engagement took place on the 28th of August at Artafulla, some leagues N. E. of Tarragona. It was maintained with extraordinary obstinacy on both sides, and was terminated by a decisive bayonet attack along the whole line on the part of the Spanish infantry, who broke the enemy and drove them off the field; the cavalry of Milans pursuing them for several miles and in various directions. Milans made the French lose amount to near 1,700, of whom 170 were prisoners—his own, to something more than 600.

In the mean time, the principal efforts of the French were directed against Cadiz. By the middle of July, they had collected a sufficient force to establish a loose blockade. The besieged passed decrees; the besiegers strengthened themselves in their posts; and for more than a month the uniformity of their transactions was varied only by a very well supported sortie which the Spaniards made on the 16th of July, with much gallantry, and a fair degree of success.

On the 28th of July, the Duke of Angoulême quitted Madrid, in order to proceed to Cadiz.

In the course of his journey thither, he wrested from the hands of the royalists the powers with which he had entrusted them, and which they had long abused. He issued a decree at Andujar, which prohibited any arrest by Spanish authorities, without the sanction of the French officer commanding in the district. All public journals, and those who conducted them, were put under the superintendence of French officers. These arbitrary arrangements were galling to the Spanish royalists, and served to cherish the hatred which had previously existed to a certain degree between the two parties.

His royal highness arrived at Port St. Mary on the 10th of August, where he found an army of 30,000 men waiting for his commands. On the following day, he dispatched colonel Lahitte, one of his aides-de-camp, with a flag of truce and a despatch to Cadiz. The despatch was addressed immediately to the king. The colonel was told that he could not be admitted to see the king, or to transact any business or carry on any communication with him, except through the usual medium of his responsible advisers.

Colonel Labitte, being thus disappointed in his original purpose, and unable to execute his first instructions, requested to see the governor of Cadiz. The governor was Valdes, who, besides having the command of Cadiz, was likewise chief of the permanent commission of the Cortes, appointed on the prorogation of that body. It was of course in his former capacity that an interview was solicited with him by the agent of the duke of Angoulême. Valdes received the duke's aide-de-camp with much civility, and offered, if the letter of his royal highness were intrusted to him, to secure its delivery to his majesty, or at any rate to acquaint his majesty, with its contents. On this condition the duke's aide-de-camp left the letter, which was as follows:—

Sir, my brother and cousin,—Spain is delivered from the revolutionary yoke. A few fortified towns only now serve as an asylum to implicated persons. The king, my uncle and lord, had thought (and events have in no wise changed his opinion), that your majesty, restored to liberty, and using clemency, would think it advisable to grant an amnesty, necessary after so many troubles, and to give to your people, by the convocation of the ancient Cortes of the kingdom, guarantees for the re-establishment of order, justice, and good administration. All that France could perform, as well as her allies, and the whole of Europe, in order to consolidate this act of your wisdom, I do not hesitate myself to become a guarantee, shall be done. I thought it my duty to remind your majesty, and through you, all those who may still prevent the evils which threaten them, of the feelings of the king, my uncle and lord. If, in five days hence, I

shall not have received any satisfactory answer, and if at that period your majesty shall still be deprived of your liberty, I shall recur to force in order to restore it to you. Those who shall listen to their passions in preference to the interests of their country, will alone be answerable for the blood that may be spilled. I am, with the most profound respect, your very affectionate brother, cousin, and servant,

(Signed) LOUIS ANTOINE.

From my Head-quarters at Port St. Mary's this 17th of August, 1823.

The king in his answer stated, that he was not deprived of any other liberty, than that of which the operations of the French army stripped him; that he could not submit to the proposals of his royal highness; but that he would gladly terminate the war through the mediation of Great Britain.

It was now necessary to prosecute the siege vigorously: and for this purpose the Trocadero was the first point to be attacked. The Trocadero stands nearly opposite to Cadiz, on one side of a narrow strait which runs up to the harbour, and consequently it commands all the approaches to the city by sea. The Spaniards had been assiduous in putting this peninsular situation in a state of defence. They had made a cut across the isthmus, 200 feet broad and 4 feet deep; by which the communication with the main land was interrupted. It was garrisoned by about 2,000 men, and flanked by gun-boats. The French, having brought their trenches near to the canal, made an assault on the 30th of August, but were repulsed. In the darkness of the following night they again moved forward; and the Spaniards, too secure from their late

success, allowed them to pass the trenches and form in front of the canal, before they knew of their approach, or offered resistance. Different accounts were given of the circumstances which led to this disaster; but the following was the most generally received: A guard, consisting of a lieutenant and about forty men, had been appointed to keep watch in that part of the fortress which was most accessible from the canal. The men, who had been harassed with constant labour for several days, and had not had the proper reliefs, became completely exhausted, and, it was believed, fell asleep. About two in the morning, it being exceedingly dark, the French crossed the canal, having their allies, the Spanish Ultras, in their front. The noise, in some degree inseparable from the movement of so large a body of men, just served to arouse a little the attention of the sleepy garrison; but their alarm subsided when they heard themselves carelessly addressed in the Spanish tongue with the phrase of "Dont disturb yourselves; we are all friends." So re-assured, they laid themselves down, and it was not till after some time that they saw a body of men in the garrison far outnumbering themselves. They now took the alarm; the bugle sounded to arms; and presently a body of them fired: but being addressed in Spanish by their opponents, who asked them in affected astonishment how they could fire on their comrades, they became embarrassed: and in an instant, the confusion was rendered incurable by the arrival of a large body of French troops. Thus in the confusion, resistance was impossible, and the French, with scarcely any loss, took posses-

sion of the fortress. Some of the Spaniards retreated to the mill of Guerra and entrenched themselves there; but the French attacked and took that fort on the following morning. The invaders lost no time in erecting new batteries on the Trocadero and directing their fire to the opposite shore. It is not easy to see what they aimed at in this part of their conduct. If they merely wished to do mischief in the neighbourhood of Cadiz and thus intimidate the enemy into an acquiescence with their proposals, they succeeded only to a very limited extent; for the Cortes were still loud in their abuse of the measures of the French government and their praises of constitutional independence. Besides, no injury was done within two miles of Cadiz; and to reduce that place, they ultimately had recourse to maritime bombardment. Hitherto their operations had been retarded for the want of naval co-operation; but admiral Hamelin, on account of illness real or pretended, withdrew or was removed from the command of the fleet; and rear-admiral du Përre was entrusted with the direction of the fleet and flotilla.

The occupation of the Trocadero so much dismayed the Spaniards, that Ferdinand, with the approbation of his ministers, or rather his ministers in his name, opened a correspondence on the 4th of September with the duke of Angoulême. General Alava was the bearer of the letters of Ferdinand; and the duke de Guiche of those of his royal highness. The duke of Angoulême having stated, that he could treat with the king only when free, Ferdinand proposed an interview either on board a neutral vessel or at some spot equally distant from both armies. Alava, on

the 8th of September, informed the king and his ministers, that the French generalissimo would not accede to the suggestion, and delivered a memorandum* containing the terms, on which alone the invaders were willing to treat.

The embarrassments of the constitutionalists increased every day. To the want of financial resources, which were in vain endeavoured to be supplied by forced loans, were added apprehensions of military mutiny. Several companies of the regiment of San Marcial, which had till then been distinguished for liberalism, exhibited such unequivocal symptoms of sedition, that it became necessary to have recourse to severe punishments. The convocation of the extraordinary Cortes, which took place on the 6th of September, was hurtful rather than beneficial: for the time was

wasted in vain discussions, and not one energetic measure was adopted.

The naval preparations of the besiegers being completed, and Du Perre having replaced Hamelin, an attack was made on Santi Petri. This fort made at first a show of stout resistance; but at sight of the boats which the French admiral had sent off to effect a landing, the white flag was hoisted; and, on the 20th of September, a capitulation was concluded. The bombardment of Cadiz was begun at eight o'clock on the morning of the 28th, and continued till half past ten, when by a shifting of the wind, the boats were forced to change their position. The French next attempted to land on the isle of Leon, at its southern point. The Spaniards now saw the danger of their situation, and the impossibility of making any successful defence. Mutinies and dissensions began to shake their confidence in each other, and the Cortes could come to no decided line of conduct. At last they determined by a majority of 60 to 30 to abandon all thoughts of further resistance; and it was agreed that Ferdinand should be allowed to join the duke d' Angoulême at Port St. Mary's, while he, on his part, promised full oblivion and pardon of all offences committed by, or alleged against, the constitutionalists. This promise was reduced into an authentic form in a proclamation issued by the king immediately before he left the isle of Leon, and which, he voluntarily assured his ministers, expressed truly his real sentiments.

On the 1st of October, Ferdinand and his family repaired to the head quarters of the duke d' Angoulême, where his first acts were to break all the promises he had given, and

* The following is a copy of the memorandum above alluded to:

"I can treat of nothing until the king is free. Let the king and royal family repair either to Chiclana or Port St. Mary's, as his majesty chooses. I will use the whole of my influence with his majesty, in order that he may promise and grant, of his own free will, such institutions as he shall judge to be suitable to the happiness, wants, and tranquillity of his people; and in order that he may announce that he forgets the past. All those who wish to leave Spain may withdraw wherever they think proper; and in consequence thereof, orders shall be given to the admiral. A French division shall enter Cadiz for the purpose of maintaining order there, preventing re-actions and protecting every one."

The last paragraph was modified in the following manner:—"The French troops shall occupy La Isla de Leon, as far and including the Cortadura and Port Puntales. The ground between these two points and the town shall be neutral. The armistice with the town shall be for two months. The commercial relations shall be re-established."

blast all hopes of safety and freedom entertained by the vanquished constitutionalists. He issued an order that Cadix should be instantly delivered up to the French ; and on the 3rd of October, they took possession of that city.

While these events were going on at Cadix, the successes of the French had enabled them to prosecute the siege of the fortified towns with more vigour than in the beginning of the campaign. Marshal Lauriston, with 10,000 men, pressed Pampeluna so closely, that the garrison, abandoning all hopes of a successful defence, capitulated on the 17th of September. Santona surrendered on the 26th of that month, and St. Sebastian on the 27th. Fernandez who had been governor of Cardona carried assistance to Figueras ; but having met with no sincere co-operation from the garrison within the town, his struggle before its walls served only as a proof of his own valour without having the effect of raising the siege. Figueras, too, surrendered by capitulation to the French. In consequence of the fall of these fortresses, not less than 12,000 Spaniards were carried prisoners of war into France.

Mina could have protracted the contest in Catalonia ; but to have done so would have exhausted still further his unhappy country without any chance of final success. He therefore consented to surrender Barcelona upon certain terms ; that city was occupied by the French on the 4th of November ; and its fall was followed, as of course, by the submission of Tarragona and Hostalrich. The principal condition which Mina bargained for, was, that the militia should be allowed to return to their homes without being exposed to

the molestation of the royalists. Having taken care of the safety of his soldiers, he saw the necessity of consulting next for his own. The fidelity and zeal which he had displayed in the prosecution of the war, he knew, must necessarily have incurred the hatred of a monarch, who had no regard to former promises and no indulgence towards those who once opposed his will ; and he therefore prudently made England his home, where he was received on his landing with the most enthusiastic applause. Mina lost much by his fidelity, but Bel-lasteros and Morillo gained nothing by their treason. The one remained unrewarded, and the other stripped of his honours fled to France, to conceal his shame and live in obscurity.

Badajoz and Carthagena held out till the end of the war. In October they surrendered ; and on the 13th of November Ferdinand reached Madrid, and the campaign was completed. The duke d'Angoulême re-crossed the Bidassoa on the 23rd of the same month, and on the 2nd of December made his triumphant entry into Paris. He left behind him the greater part of his army ; and by a convention between the two governments, the principal fortresses and cities of Spain were to be occupied by 40,000 French troops. This military occupation, indeed, was to cease at the end of six months : but there was every probability, that the term would be extended.

The presence of French troops was, in some respects, an alleviation of the miseries of Spain ; since it imposed a check on the fury of the fanatics, who were now in full possession of power. Don Victor Saez, who had long been confessor of the king, acted as minister

of foreign affairs under the regency of Madrid, and when that regency was dissolved, upon the arrival of Ferdinand at the French headquarters, he was continued in his office and placed at the head of the ministry. The measures, which were adopted, were well suited to this choice. On the same day, the 1st of October, Ferdinand issued a decree, prefaced by a long invective against the constitutional system, and concluding with the two following articles:—

“1. All the acts of the government called constitutional (of whatever kind and description they may be), a system which oppressed my people from the 7th of March, 1808, until the 1st of October, 1828, are declared null and void, declaring, as I now declare, that during the whole of that period I have been deprived of my liberty, obliged to sanction laws and authorize orders, decrees, and regulations, which the said government framed and executed, against my will.

“2. I approve of every thing which has been decreed and ordered by the provisional junta of government, and by the regency, the one created at Oyarzun, April 9, the other May 26, in the present year; waiting, meanwhile, until, sufficiently informed as to the wants of my people, I may be able to bestow those laws, and adopt those measures, which shall be best calculated to secure their real prosperity and welfare, the constant object of all my wishes.”

The spirit of his administration was displayed in a manner equally strong in a decree, dated on the 4th of October, and issued at Xeres. In it his majesty ordained, that, on his journey to the capital, no individual, who, during the existence of the system styled constitu-

tional, had been a deputy to the Cortes in the two last legislative sittings, should present himself, or be within five leagues of the route to Madrid. This prohibition was declared to apply to the ministers, councillors of state, the members of the supreme tribunal of justice, the commandants-general, political chiefs, the persons employed in the several departments of the secretaries of state, and the chiefs and officers of the late national volunteer militia, to whom his majesty further interdicted for ever (*para siempre*) entrance to the capital and the royal residence, or approach thereto within a circumference of fifteen leagues.

There was an exception in favour of individuals, who, since the entrance of the French army, had obtained from the provisional junta or the regency of the kingdom, a new nomination to, or confirmation of, the offices which they held by his majesty's appointment previously to the 7th of March, 1820.

Under such circumstances, multitudes of the constitutionalists sought safety in flight. Of those who remained, great numbers were secretly and arbitrarily imprisoned; and these acts of oppression would have been carried to a still greater height, if they had not been in some degree prevented by the interference of the French. The operation of this check is illustrated by what occurred in Cadiz. There Larre, ex-constitutional commandant, and the duke del Parque, were arrested by D'Aunoy the governor. On the same night, count Bourmont, the French commander, sent for the governor, and asked him, by whose orders the arrests had been executed. “In virtue of *secret orders*,” was the reply. “Let me see those orders,” rejoined

[P]

the French general. "No," answered the Spaniard. "Then," added Bourmont, "if you repeat such arrests without shewing me a specific authority, signed by king Ferdinand, and if within two hours you do not send me a written justification of those already made, you shall take your departure from Cadiz." "I will execute my secret orders without your leave or knowledge," replied D'Aunoy, "and I will not quit Cadiz, unless forced." Forced he was accordingly: for, at four the next morning, a detachment of French grenadiers put the refractory governor beyond the gates of Cadiz.

Imprisonment was not deemed a punishment adequate to the guilt of Riego. He was condemned to death for his share in the proceedings of the Cortes at Seville; and, in pursuance of his sentence, was, on the 7th of November, hanged on a gibbet of extraordinary height. During the whole of his progress from the prison to the place of execution, the most profound silence reigned. The streets and squares were filled with immense crowds; and at the windows were seen, intermingled with the inhabitants, a great many monks and other ecclesiastics. The moment the executioner intimated, by a signal, that Riego was dead, cries of *vivat* were heard from a numerous group, which formed a semi-circle at a small distance from the scaffold. Riego showed great

firmness and tranquillity in this last scene of his life; but it was with much difficulty he ascended the ladder, in consequence of the pain and swelling of his legs, occasioned by the fetters he had worn since his arrest.

On the 4th of December a surprising change was made in the cabinet council of Ferdinand. Saer and his colleagues were dismissed; and a new and more liberal ministry was framed, at the head of which was Casa Irujo, who had been ambassador from the Cortes to France. The department of grace and justice was intrusted to don Narciso de Heredia, a man of letters and of high personal character. The other principal offices were filled by Lopez Ballasteros (a relation of the general of that name), de la Cruz, and Villela. Some ascribed the formation of this administration to the advice of France: but the more general opinion was, that it had its origin in the intrigues of Pozzo di Borgo, who was then at Madrid, and who, it was alleged, exerted the influence of Russia to promote the purposes of his own stock-jobbing speculations. Whatever might be the cause of the elevation of Casa Irujo, it produced no sensible alteration in the dark, revengeful, fraudulent, and most oppressive course of government, which Ferdinand had adopted and still continued to pursue.

CHAP. XIII.

PORTUGAL—Relations of Portugal with Great Britain and France—Amarante's insurrection: his progress: Rego's operations: Insurrection suppressed, and Amarante retreats into Spain—Arrests in Lisbon—Insurrection of the 28th regiment—Prince Miguel's Flight from the Palace—The Rebels joined by most of the Troops—Complete success of the Counter-Revolution—Appointment of a new Ministry—Dissolution of the Cortes—Sir Robert Wilson in Portugal—French Embassy—BRAZIL:—Complete separation of Brazil from Portugal—Hostile proceedings of Brazil towards Portugal—Internal Dissensions of Brazil—Resignation of the Andradas and their immediate restoration to Power—Meeting of the Congress—Secession of the Ministers from the Congress—Violent Discussions—Change of Ministry—Dissension between the Emperor and the Congress—Opposition of the Andradas to the Emperor—Violent proceedings of the Congress and of the Emperor—A new Ministry—The Emperor dissolves the Congress by Military force—Another change of Ministry—Convocation of a new Legislative Assembly—Measures pursued against the leaders of the Opposition—Basis of a fundamental Law of the Monarchy proposed by the Emperor—This scheme approved by the municipality of the capital—General approbation of the proceedings of the Emperor—Catastrophe at Para—Military Operations at Bahia: Difficulties of Madeira's situation: his vigorous resistance: Evacuation of Bahia—Lord Coshraze's Operations—Monte Video—Arrival of Portuguese Commissioners at Rio de Janeiro: their dismissal—Finances of Brazil.

PORTUGAL could not fail to be alarmed by the menaces of France against Spain: and, under circumstances of such reasonable apprehension, her ministers thought it their duty to apply, towards the end of 1822, to the British cabinet, to ascertain, whether in case of a threatened invasion, she might depend on the alliance of Great Britain. The answer to this application was most satisfactory, and was communicated to the Cortes, in a report dated the 28th of December. "The ministry of England," said Ferreira, who was at the head of the foreign department, "has just replied.—That the British

government, having solemnly declared in the face of Europe, that it does not presume to attribute to itself a right to interfere in the internal affairs of other states, considers itself bound to give to this kingdom every succour of which it may stand in need, should its independence appear to be threatened in any mode or by any power whatever. But this promise," continued he, "which is nothing more than a repetition of those, which have in other times and at different epochs been made to us, has no reference, nor can be understood to have any, to our political institutions, as they have in no way

[P 2]

altered the relations which previously subsisted between the two countries."

The inclination of the Portuguese government to conciliate Great Britain, was marked by a decree of the 12th of March, suspending the edict of the 14th of July 1821, for the increase of the duty on British woollens, and directing that that impost should, until the conclusion of a final treaty, remain at its antient rate of 15 per cent. On the other hand, an attitude, somewhat hostile, was maintained towards France. They directed their ambassador to remonstrate against the doctrines avowed in the speech of Louis 18th, increased their military force, and declared their readiness to conclude a defensive treaty with Spain.

But in Portugal, as in Spain, the constitutional system had enemies within the kingdom as well as without. The Conde de Amarante, after having traversed a great part of the province of Minho, and sojourned at Braga, and other considerable places in that province, made his appearance in Villa Real, and on the 21st of February, at the head of some militia and some countrymen, raised the standard of revolt. "Death to the constitution, and all its followers," was the cry, which marked the objects of Amarante, who at first proclaimed himself the partisan of the antient system, though, afterwards, as his cause began to droop, he was willing to remain satisfied with a modification of the representative system. He was joined by some of the troops who were stationed in the province; and, marching northwards, reaching Chaves, the garrison of which brought a considerable reinforcement to his ranks. Texeira was despatched

against him, joined in the insurrection, and a junta was now formed, of which M. Souza, formerly minister in London, was a member. The district, which was the scene of this revolt, was bounded by the Douro on the south, and the Galician frontier on the north; the river Sabor on the East, and the Tamega on the West. Beyond these limits the insurrection did not extend: but within them the peasantry took up arms, and were zealous in its support. General Rego, who was in the vicinity at the time, collected without delay such troops as could be depended upon, and pressed the insurgents so much, that they had no time to extend their intrigues or consolidate their strength. The only success, which they had, was obtained by surprise on the 13th of March. On the preceding day, Rego's advanced guard, under the command of Pamplona Moniz, was at Radial, a village distant about two miles from Chaves. On that evening, there came to the head-quarters of Pamplona, where general Rego then was, a cavalry officer, pretending to be an emissary from his comrades, who wished to escape from the rebels and join the constitutionalists. In truth, he was a spy: and having seen, that the troops, instead of being bivouached, were in quarters, he returned to Chaves to report his observations. At day-break, three squadrons of cavalry appeared in front of Rego's principal position, and a cordon on the flank extending as far as the cantonments of the constitutionalists. Rego's troops (the detachment consisted only of two regiments) fought gallantly, but they were so completely taken by surprise, that they were broken and routed; Pamplona was taken, and

Rego himself narrowly escaped from being made a prisoner. On the 14th, all the constitutional officers, who had been made prisoners, were called upon to join the insurgents, or to promise not to bear arms against them: but they all refused except two, one of whom was not a Portuguese.

The insurgents, who mustered about 3,000 strong, now endeavoured to effect a passage to the right bank of the Tamega, with a view to penetrate into the province of Minho: and Rego was obliged to confine himself for a few days to defensive operations, in order to give the reinforcements, that were on their way to join him, time to arrive. His centre was first assailed: but the rebels, not being able to force any of his posts there, resolved to endeavour to obtain possession of Amarante, where his right wing was stationed. With this view, at 8 in the evening of the 22nd of March, they commenced their march from Mondim de Basto towards his right, uniting all their regular troops on the centre of their line, and posting on the other points of it the armed militia and peasants. At day-break they opened a brisk fire on Villa Ponce de Tamega and Gatan; and the better to cover their manœuvre, they attempted to form a moveable bridge or raft on the river. In this, however, they failed; and they were repulsed with great loss on every point of attack.

After this failure, many of Amarante's troops went over to the enemy, and others dispersed themselves. He retreated through the province of Tras os Montes, in a north-eastern direction, towards the frontiers of Leon and Galicia; and was closely pursued by Rego, who had now about seven thousand

troops of the line under his command, and upwards of five thousand militia. There was nothing equal to resist a force like this, though the people of the province, in some districts at least, gave strong marks of adherence to the sinking cause. In the small town of Trindade, at the entrance of Villa Flor, although Rego was almost at its gates, the inhabitants, rose in arms, and intercepted the officers with cries of "Death to the Constitution!" On the 12th of April, orders were issued, that, as a punishment for its perverseness, it should be burnt to the ground. The atrocity of the punishment is a still more unequivocal proof of the predominant spirit of the district, than even the audacity of the offence. On the 13th of April, Rego entered Braganza; and the insurgents, encouraged by the approach of the French, sought refuge within the Spanish frontier.

There they offered to join the French generalissimo: he declined their direct aid, on the ground that France was not at war with Portugal: but he added, that there was no objection to their co-operating with the army of the Faith. Accordingly Amarante and his followers remained in the provinces of Leon and Castile, till the success of the duke d'Angoulême, and the turn which affairs took at Lisbon, enabled the fugitives to return, in the month of June, to their country with the character of patriots and conquerors.

At Lisbon, as soon as intelligence was received of this revolt, the government was armed with extraordinary powers of imprisonment and arrest; and many suspected persons were placed in confinement. Generals Sarrasin and Soultigne, accused of being agents

in the machinations of the French against the peace of the Peninsula, were ordered to quit the Portuguese territory. General Stochler was removed to Bugio, and the archbishop of Braga to Busaco.

The insurrection in the province of Tras os Montes, seems to have been connected with intrigues, whose ramifications spread through the greater part of the Kingdom; though Amarante's failure in his first military operations deprived him of that open and declared assistance, on which he probably reckoned. The events which took place within less than six weeks after his retreat into Spain, proved that he had reason to hope for support and co-operation from the highest quarters. On the 26th of May, the 23rd regiment of the line, having received orders to set out for Beira, where it was to form part of the army of Observation, marched from the capital. At a short distance from the city, on the road to Almeida, the troops were harangued by the colonel, and, having expressed their willingness to concur with him in overturning the existing system, took up a position at Villa Franca, five leagues distant from Lisbon. Their intentions were expressed in the following letter, which their colonel immediately transmitted to Sepulveda, the commander of the troops in the city:

"My dear general and friend,
—The deposition of the present ministry and the formation of a new one—a king with dignity, and a constitution which may assure the happiness and repose of the country—in fine, union and the oblivion of the past—such is what the 23rd regiment wants: you doubtless want the same. Anarchy has then ceased to exist.
(Signed) "Souza."

On the 27th, at one o'clock in the morning, prince Miguel the king's second son, quitted the palace, leaving behind him a letter^a addressed to his father. He was accompanied by some carabineers of the 4th regiment, and having joined the revolted troops at Villa Franca, published a proclamation, in which he called upon the nation to aid in the deliverance of their king, in order that a system might be established alike remote from despotism and anarchy. On the same day he was joined by several detachments. As soon as these events were known, the Cortes, an extraordinary session of which had commenced on the 15th of May, sent a message to the king, declaring that the ministers had lost the confidence of the country. His majesty immediately assembled a council, and deliberated with them on the appointment of a new ministry. On the 29th, being Corpus Christi day, the troops of the garrison assembled, according to custom, to parade the streets. After this ceremony was over, they repaired to the Terreiro do Paço (a

^a The following was the Prince's letter:

"My Father and Lord,—My only grief is for having left your majesty's palace without your permission; but as I could not obtain it from your prudence, and being unable longer to see the degradation of the throne, contrary to the wish of the whole kingdom, I have adopted a course which your majesty as a king cannot disapprove. We ought to preserve the royal majesty unimpaired; it is a deposit with which we are entrusted. I merely aim at serving your majesty, as my king, as my father, and delivering the nation. I hope that heaven will aid us, and that, as a father, you will give me your benediction, though as a king you may have to perform outward acts contrary to your royal heart. I kiss your majesty's hands. Your most devoted son,
"MIGUEL."

square), from whence all the regiments of the line (with the exception of the 18th regiment of infantry), and one or two regiments of militia, marched to join prince Miguel; and with them went general Sepulveda, the military governor, who had been entrusted with the defence of the capital, and on the preceding day, had issued a proclamation to tranquillise the inhabitants. The other militia regiments, the 18th infantry, and part of the artillery of the line, refused to follow Sepulveda; and such was their resentment, that he nearly lost his life in the square; one individual endeavoured to murder him, and was hindered only by the interposition of general Avillex and some other officers. The troops declared, upon this occasion, that they wished some changes in the constitution, naming particularly the establishment of two chambers, and giving the king an absolute *veto*. On the 30th, at the opening of the sitting of the Cortes, it was notified, that the king had appointed a new ministry; but within an hour after, it was announced that don Neves Costa, appointed minister of war, had gone over to the prince.

M. de Braanchamp, one of the heads of the moderate party, who had been appointed minister for foreign affairs, took the same course. On the same day, the king published the following proclamation:—

“Portuguese,—My son and infant, don Miguel, fled from my royal mansion and joined the 23rd regiment. I abandon him as a father, and shall know how to punish him as a king.

“His majesty declares, that faithful to his oath, and to the religion of his ancestors, he will

maintain the constitution which he voluntarily accepted. His liberty, he says, has never been restricted, nor his authority despised. He invites his people to confide in the Cortes, and to remain faithful to their oaths.”

In the afternoon, the 18th regiment declared itself for the same cause as the other corps of the line; and, repairing to the palace of Bemposta, in the centre of the town, amidst cries of *vivas* to the king, the queen, and the infante, induced his majesty and all the royal family to quit Lisbon. They took their departure at 7 in the afternoon, and reached Villa Franca on the next day.

In the mean time, the peace of the city had been preserved by the zealous efforts of the citizens and national guards. A project for opening all the jails, and setting the numerous felons at liberty, was discovered and suppressed. The felons in the castle of St. George endeavoured twice to force the prison, but without success; and the guard fired on them, killing and wounding several. The Cortes held their session on the 31st at the usual hour, and transacted their business in the usual way. On the same day, the municipality sent a deputation to the king, begging to know what were his royal intentions: the deputation returned late in the night, with an answer, that his majesty by no means wished to return to the old system; but that it was necessary to frame a constitution more adapted to the interests of all classes, than the existing one. A manifesto or proclamation to this effect, was issued by the king, countersigned by Mosinho da Silveira, who had been named minister of finance a few days

before. On the 1st of June a new ministry was appointed. The conde de Palmella, a man of talents and literature, who had been plenipotentiary to the congress of Verona, and filled the highest offices under the absolute monarchy, but had been treated by the Cortes with great rigour and harshness, [see Vol. for 1821, p. 217], was named minister of Foreign affairs. Pamplona Costa-Real was placed at the head of the war department; Gomez de Oliveira became minister of the Interior; Falcao de Castro minister of justice; and Ferraz de Lima de Castro, intendant-general of the police of the court and kingdom.

On the 2nd of June, the Cortes closed their sittings; having, previously to their separation, drawn up a formal protest against any change in the government: "The Representatives of the Portuguese nation," said they in this instrument, "now assembled in the extraordinary Cortes, finding themselves deprived of the executive power, which may carry into effect any of their decrees, and destitute of an armed force, declare themselves in a situation which makes it impossible for them to perform the functions of their offices: as the continuation of their sittings may lead to the danger of the nation being afflicted in the persons of its representatives, without the hope of any public advantage, they interrupt their sittings, till the permanent deputations, which continues in the exercise of its functions, or the president of the Cortes, shall think fit to assemble the deputies: and they protest, in the name of their constituents, against any alteration or modification that may be made in the constitution of the year 1822."

At the very crisis, when these occurrences were taking place, sir Robert Wilson had come from Galicia to Oporto, in order to rouse the friends of liberty to vigorous resistance. Upon the fall of the constitutional system, he withdrew from Oporto, for the purpose of returning to Spain; but at Braga, he was seized by the populace, and imprisoned for two days. This cooled his ardour, and he thought that his most prudent course now was, to return to Oporto. There, too, he was treated with considerable rigour, and was immediately sent back to Galicia by the way of Caminha. He arrived at Vigo on the 14th of June, and there issued an address to the Portuguese nation, forgiving with due magnanimity the wrongs he had met with from them, and regretting the inglorious course of political conduct which they had adopted.

These events were particularly agreeable to France, both in themselves and by their influence on the operations in Spain. M. Hyde de Neuville was despatched by Louis, to congratulate the king of Portugal on his re-acquisition of absolute power. That envoy was presented at the court, on the 8th of September, in a solemn audience appointed expressly for the purpose; and, by the language which he used, did ample justice to the sentiments of those whom he represented. "Sire," said he, addressing the king,—"My sovereign feels the most lively joy at learning the great and happy event which saved Portugal, and replaced in the paternal hands of your majesty a power which you always used for the happiness of your subjects—a power, the legitimate exercise of which constitutes not

only the strength and dignity of the throne, but also the securest pledge of the true liberties of the subject—a power, without which kings cannot fulfil the obligations which God has imposed on them.”

The counter-revolution triumphed without resistance in other parts of Portugal. On the 4th of June, an address was transmitted to his majesty from Oporto, signed by the bishop and other chief persons of the place, and declaratory of their joy at the dissolution of those forms of government, to which they had made neither opposition nor objection, until the army set them the example. Many other places expressed themselves in favour of this change. On the 5th, the king returned to Lisbon; and on the 9th, the infant don Miguel was appointed commander-in-chief of the army. On the 18th of June a junta of 14 members, at the head of whom was the conde de Palmella, was appointed to propose the plan of a fundamental law of the Portuguese monarchy. Whatever their private labours may have been, the world has hitherto seen no fruits of them, for they have not as yet, produced any scheme for the regulation or mitigation of absolute power. The authority of the throne, re-established on its old basis, was not shaken, during the remainder of the year, by any open disturbances; but Lisbon continued to be the scene of much secret suspicion and secret fermentation. Many were committed to prison for alleged political offences; and among these was *Madeira*, the brave and persevering defender of Bahia.

The proclamation of don Pedro, as emperor of Brazil, on the 12th of October 1822, completed the separation of that country from

Portugal; and the utmost that the mother country could now expect from her late colony was—not obedience—but amicable intercourse on terms mutually beneficial. “Though from the 12th of this month,” said the emperor in a proclamation dated the 21st of October, “Brasil no longer forms an integral part of the ancient Portuguese monarchy, still nothing prevents the continuation of their ancient commercial relations, as I declared in my decree of the 1st of August, if Portugal do not send troops to invade any of the provinces of this empire. Portuguese; I offer you the space of four months to make your decision. Determine, and choose either the continuance of a friendship, founded on the dictates of justice and generosity, and in the ties of blood and reciprocal interests; or a most violent war which can terminate only in the independence of Brasil or the ruin of both countries.” The proceedings of the Cortes at Lisbon gave evident proof, that Portugal would not adopt the prudent course here recommended to her; and the Brazilians took their measures accordingly. On the 11th of December, two decrees were issued, which might be regarded as preliminary steps to active hostilities. The first laid an embargo on all vessels bound to the Portuguese dominions in Europe; the second, after referring to the declarations of the Cortes as a justification, ordered that there should be put under effective sequestration—

1. All the merchandise in the warehouses of the empire which belonged to subjects of the kingdom of Portugal;
2. All merchandise of the same description in the possession of Brazilian merchants;
3. All possessions in town and

country, which were under the same circumstances: 4. The vessels belonging to Portuguese merchants. The shares of the national bank of the Casas de Seguro, and of the iron-works of the Villa de Sorocaba, were alone excepted from this sequestration.

The spirit of bitter hostility, which was excited at Rio de Janeiro, was displayed still more plainly in a decree, dated the 11th of January 1823, for issuing letters of marque against Portugal. It granted to all foreigners, who should apply for such letters, as well as to Brazilians, authority to "burn, sink, and destroy" the vessels and property of the Portuguese. To facilitate the fitting out of ships for this purpose, adventurers were to be allowed to purchase ammunition from the government arsenal, at a credit of twelve months, with a total release from payment, if it was proved to have been expended in attacks on the Portuguese. The privilege of granting letters of marque was conferred on all Brazilian consuls residing in foreign ports; and they were authorized in the event of captures being made, to form on the spot a court, consisting of the resident consul and four other persons, for the condemnation of prizes.

The assumption of the imperial title by don Pedro was favoured by all, as being the easiest mode of reaching the important point,—the establishment of the national independence, without dismembering the country by the separation of the provinces from each other. But there was, amid apparent unanimity, much dissension in the councils of Brazil; arising partly from the intrigues and jealousies of rival candidates for power, and partly from the preva-

lence of very different systems of opinion with respect to the scheme of internal government that ought to be followed. The head of the existing ministry was Jose Bonifacio de Andrada Silva; and his brother, Martin Francisco Andrada, was minister of finance. Both of these men were strongly adverse to despotical power. Harassed by the intrigues of their opponents, they, and all their adherents, on the 25th of October, 1822, resigned their functions; and successors to them were immediately appointed.—The baron de St. Amaro, was named first secretary of state; Luis da Cunha, minister of marine; D. Timico, minister of justice; Joao Ignacio da Cunha, minister of finance; and Joao Viciu de Carnulho, minister of war. Of these individuals, two, including the Premier elect, declined their appointments; and the change, as regarded the others, was so little popular, that a memorial was prepared on the part of the citizens, and presented to the emperor, for the restoration of the displaced ministers, with the exception of Nolrega, the minister of war. On the 30th, the petition was complied with; and the restoration to power of the Andradas and their party was celebrated, on the same evening, by a general illumination.

Early in the year, the deputies to the Congress from the different provinces began to arrive: and by the 17th of April, their numbers exceeded that prescribed by the election law as necessary before the sittings could commence. They accordingly met on that day. The bishop of Rio de Janeiro was chosen President, and don Manoel Jose de Sousa Franca, Secretary. They then proceeded to the exa-

situation of the elections, and the appointment of the necessary committees. After the preliminary business was concluded, the emperor, accompanied by his consort and the princess, proceeded in state to the Congress, and opened its first session on the 3rd of May, the anniversary of the discovery of Brasil by the Portuguese navigator Pedro Alvarez Cabral. The ceremony was conducted with great pomp. The imperial family were in splendid carriages; some of the streets were strewn with flowers; the fronts of the houses were draped with variegated silks and tapestry of different kinds; the whole of the passage was lined with troops, and the artillery in the forts fired salutes. The emperor, being seated on his throne, addressed a speech to the Assembly; and this he did, according to the government gazette, with so much energy and appropriate action, that he seemed rather to be speaking extempore, than reading a speech which had been prepared for him. In this harangue, his majesty gave a long history of the complaints of Brazil against Portugal, of the transactions of the revolution, of the state of the finances, and of the measures adopted by the different departments of the government. Then speaking on the subject of the constitution, he said—

“As constitutional emperor, and more especially as perpetual defender of this empire, I stated to the people, on the 1st day of December, 1822, on which I was crowned and anointed, ‘that with my sword I would defend the country and the constitution, if it should prove worthy of Brazil and of me.’ I, to-day, ratify most solemnly before you that promise,

and I hope that you will aid me in the performance of it, by forming a constitution, wise, just, adequate, and practicable, dictated by reason, not caprice, that shall have solely in view the general happiness, which never can be complete, if the constitution be not founded on solid bases, proved by the wisdom of ages. These are the true foundations on which to ground a just liberty to the people, and every necessary strength to the executive—a constitution in which the three powers shall be divided; so that neither shall arrogate to itself rights which do not comport with it, but which shall at the same time be so organized and harmonious, as to render it impossible, even in the lapse of time, for those powers to become enemies, and that they may more and more co-operate for the general happiness of the state—in fine, a constitution, which, placing barriers to despotism, whether royal, aristocratical, or democratical, shall put anarchy to flight, and plant the tree of that liberty under whose shade shall grow the union, tranquillity, and independence of this empire, destined to be the wonder of both the new and old worlds.”

The first proceedings of the new Congress were not distinguished by that harmony which had been anticipated. Attempts were made with much vigour by the popular party to effect the removal of the ministry from office, and the ministers, in order to frustrate them, resorted, before a fortnight had elapsed, to the singular expedient of withdrawing altogether from the deliberations, along with the whole of their adherents. By this secession, the number of the deputies, as many from the distant

provinces had not arrived, was reduced below that which the law prescribed as necessary to constitute a legal sitting, and the business of the state was therefore suspended.

This device could not be long employed; and the ministers were again obliged to meet their antagonists in free discussion. The great point in dispute was, whether the executive should have an absolute *veto* in the enactment of laws. The necessity of giving the crown a *veto* was insisted on by the minister for foreign affairs, Joze Bonifacio de Andrada, who wished to establish the new constitution upon the basis of a limited monarchy similar to that of England. The democratical party, on the other hand, asserted that his views were altogether despotic; and inveighed bitterly against him for having ordered the imprisonment of several individuals, who entertained more liberal or republican ideas. On the 30th of June, the emperor fractured two of his ribs, by a fall from his horse, which confined him to the palace for three weeks; and this accident presented to the opposition a favourable opportunity of forcing the minister to resign. On the 15th of July, a threatening letter was sent to one of the gentlemen of the palace, ordering him to deliver a letter which was enclosed for the emperor, and which intimated to his majesty, that, unless he changed his system and dismissed the Andradas, his own life would be in danger. The minister, thus aware of the strength and desperation of the party against him, resigned on the morning of the 16th; and on the afternoon of the same day, his brother, the minister of finance, also tendered his resignation. There was some

difficulty to find individuals willing to accept of the places of those ministers; and it was not till the evening of the 17th, that successors to them were appointed. Jose Joaquim Carneiro Campos, presided over the new administration, as minister of foreign affairs and of the interior; Caetano Pinto de Miranda Montenegro, had the department of Justice; Joao Vieira de Carvalho, that of war; Luis da Cunha Moreira, that of the marine; and Manoel Jacinto Nogueira da Gama, that of finance. The dismissal of the Andradas was accompanied, on the 18th of July, by a proclamation, in which the emperor professed to have been guided in his late proceedings solely by a regard for public opinion.*

Prior to this change in the

* This proclamation was in the following words:—"Inhabitants of Brazil—The constitutional government which does not guide itself by public opinion, or which is ignorant of it, becomes the scourge of humanity. The monarch, who does not know this truth, precipitates himself into an abyss, and his kingdom or empire into an ocean of misfortune. Providence granted me the knowledge of this truth; upon it I founded my system, to which I shall always be faithful.

"Despotism and arbitrary acts are detested by me. I lately gave you a proof, among many which I have given you. We may all be deceived, but monarchs seldom bear the truth, and if they do not seek it, it never appears to them. When they know it, they ought to follow it; I recognised it, and did so. Hence, though at present we have not a constitution by which we are governed, yet we have bases, established by reason, which must be inviolable; these are the sacred rights of personal safety, of property, and the immunity of the house of the citizen. If they have been attacked or violated hitherto, it is because your emperor was ignorant of the exercise of such arbitrary and despotic acts, which are at all times improper, and contrary to the system we have embraced. Be

ministry, the deputy Aranja Lima had proposed the project of a law, by which the decrees of the assembly should be executed by the executive, even although the emperor refused his sanction. This project was finally discussed, and carried by a considerable majority, on the 29th of July. The emperor, however, declared, that, notwithstanding this vote of the assembly, he would sanction and execute such acts only as met with his approbation. The assembly, on the other hand, expressed their resolution to put him to the test, by preparing several obnoxious decrees for his signature. In this situation the emperor began to be very assiduous in his attentions to the military, in order to secure their assistance in defending his prerogative; and in this course he was animated by the accounts which were received of a counter-revolution having been effected in Portugal. In the beginning of August, the general belief was, that he would attempt to establish an absolute *veto* by military force, even at the risk of dissolving the assembly.

If the Andradas had formerly become obnoxious to one party, because they were not sufficiently democratical in their notions, they were equally adverse to the course which the emperor seemed now in-

clined to pursue; and, along with the rest of the opposition, inveighed vehemently against the real or supposed politics of the court. Shortly after the dismissal of the brothers from power; two new journals, the "Sentinella" and the "Tamoya," were published, which laboured to vindicate the administration of the Andradas, and took every opportunity of attacking the measures of the new administration—of exciting feelings hostile to Portugal and the European Portuguese settled in the Brazils, and of reprobating the principle of employing European officers or soldiers in the army. It was generally believed, that many of the articles in the Tamoya were written by Martin Francisco Andrada, and a third brother Antonio Carlos, both members of the assembly.

In the thirtieth number of the Sentinella, published on the third of November, there appeared a letter under the signature of "O Brasileiro Resoluto," which, by certain officers of the horse artillery, was considered as an attack upon the whole of the captains of that corps. Believing that one David Pamplona, an apothecary, was the author, two of these officers, Europeans, went to his shop on the 5th, and violently assaulted him.

On the 6th, a petition from the apothecary was presented to the assembly, complaining of this attack by Europeans upon a Brazilian; and ascribing the whole transaction to the spirit of a party. Some discussion took place upon presenting the petition, and ultimately the matter was referred to the commission of criminal justice. This opinion, however, did not prevail without much opposition; and Antonio Carlos de Andrada

assured, they will from this day forward be religiously maintained. You will live happy, secure in the bosom of your families, in the arms of your tender spouses, surrounded by your children. Regardless of the incautious persons who seek to call in question any constitutional disposition, it will always appear triumphant, as the sun dispels the thickest clouds. Depend on me as I depend on you, and you will see democracy and despotism repressed by a just liberty.

July 18

"THE EMPEROR"

proposed an amendment to the effect of requiring, on account of the extraordinary circumstances of Brazil, that in case the offenders should be convicted of the crime imputed to them, they should be banished from the empire.

On Saturday, the 8th of November, the commission reported to the assembly, that the petitioner ought to proceed against the parties according to law. (*Devia usar os meios ordinarios.*) The more violent members of the assembly opposed the report of the commission, insisting that there was more in this transaction than appeared at first sight, and requiring that the matter should be fully discussed at the next meeting, on Monday, the 10th. During the interval, the opposition party were not idle, and procured a considerable number of their friends to attend the discussion. Every part of the House, assigned for strangers, was crowded; when Senor Alencar, one of the members for Pernambuco, proposed that the people should be admitted into the body of the House. This was agreed to, and presently the whole of the space behind the seats of the members was filled. The Andradas made violent speeches. While Martin Francisco was speaking, a person immediately behind him, supposed to be an European, exclaimed—"Hold your tongue, you fool!" This caused the utmost confusion; the president rose, and declared the session finished at a quarter past one in the afternoon, which was an hour earlier than the usual time. While these matters were transacting in the assembly, several of the members, dreading the result, retired.

The emperor, being aware that the sitting would be stormy, had

come to the city, and remained, during the debate, in the palace. There he received the resignation of his ministers, with the exception of the minister of marine; and a new ministry was named, composed of Francisco Villela Barbosa, for the home and foreign affairs; Clemente Ferreira Franca, for justice; Sebastião Luis Tinoco, for finance; José d'Oliveira Barbosa, for the war department; and Luis da Cunha Morreira, for the marine. In the afternoon of the same day, a number of the officers of the artillery (Europeans) went in a body to the emperor, and demanded satisfaction for the alleged insults offered to them by the *Semifellis* and the *Tamoya*. During the evening, the emperor ordered the whole of the troops under arms, and marched them to St. Christovão, where he commanded them in person.

Every one looked with anxiety to the deliberations of the session of the 11th. A message on that day was received from the emperor, informing the assembly that the officers of the army required satisfaction for the insults offered to them by certain public journals, and desiring the assembly to take the subject into consideration. Upon this, Antonio Carlos de Andrada Machado proposed that the assembly should declare their sittings permanent; that a deputation should be appointed to require from the government an explanation of the motives for calling out the military; and that in the mean time the message of the emperor should be remitted to a commission of five members. The proposal was agreed to.

The deputation returned with an answer from the government, informing the assembly, that, in

consequence of certain violent proceedings which had taken place, the emperor had deemed it prudent to withdraw the troops from the town, so as to allow the assembly to proceed in their discussions without interruption.

About two o'clock, the commission reported to the assembly, that the House ought to require from the government information as to the number of officers who complained, and the names of the journals referred to. The report was approved, and two of the secretaries were appointed to present it to the emperor.

The session remained in the mean time permanent; and it was not till early on the morning of the 18th, that the following message was received from the government:—That as to the officers, they were a body representing the whole; that the Tamoya and the Sentinella were the publications complained of; that the three Andradas were accused as the editors of the first, and assistants to the editor of the second; and generally that these individuals were the chiefs of a seditious party in the state.

It was then proposed and agreed to, that this message should be remitted to a special commission to be named. At eight o'clock, Antonio Carlos Andrada Machado proposed, that the minister of the interior should be called, which was approved of. About 10 o'clock, the minister appeared, and submitting to examination, declared, that the assembling of the troops at St. Christovão was to avoid commotions in the capital, and to preserve the subordination of the army; that he did not know the number of the officers who complained, but they were numerous; that the

troops had required the expulsion of the Andradas from the House; that he had advised the emperor of the impracticability of such a measure; that he conceived it would not be prudent to move the troops from the encampment, until the assembly had decided upon the measures to be taken; that the emperor had not issued any orders to the minister of justice, respecting the apprehension of the editors of the journals, but he had given directions for proceeding against the persons concerned in the attack on the apothecary.

A motion, made by the deputy Montesuma, that the interrogatories and answers of the minister of the interior should be remitted to the special commission, was, after considerable discussion, approved of: and, in the mean time, the deputies, not considering themselves sufficiently informed, ordered the new minister of war to be summoned, in order that he, too, might be interrogated. They also proceeded to discuss a law, the effect of which was, to order that the European Portuguese and other foreigners, belonging to the military corps assembled at St. Christovão, should withdraw into the interior, to the distance of at least six leagues from the capital.

While the commission were preparing their report, intelligence was received, that, by the order of his majesty, the troops at St. Christovão were on their march to town in two columns. About one o'clock a military officer arrived with an open paper from the emperor, to be delivered to the assembly, which was received at the door of the House by two of the secretaries, and, being read, proved to be a decree dissolving the Congress. The House was now surrounded by

the military, and after a copy of the decree was taken, the members quietly retired; but in going out, Antonio Carlos Andrada de Machado, Martin Francisco Ribeiro de Andrada, Jose Joaquim da Rocha, Francisco Gê. Acayaba Montezuma, and Nicolau Perreira de Campos Vergueiros, were made prisoners. In the afternoon José Bonifácio d'Andrada de Silva and Belchior Pinheiro de Oliveira, who had previously retired from the House, were also made prisoners, along with several individuals of less note; the whole were sent in the evening to the prison of the Lago, a small fort built upon a rock at the entrance of the harbour.

After these scenes were concluded, the emperor, accompanied by his staff, paraded the principal streets on horseback; and was received with acclamations by the lower part of the populace.

In the evening there was an opera announced; but although the house was full, there were very few respectable families present. The audience was composed chiefly of the meanest of the European Portuguese. At night, there was a general illumination.

In the midst of these hazardous measures, the councils of don Pedro were distracted by the want of union among his advisers. The ministry, named on the 10th, was composed only of Brazilians; and two of them refused to sign the decree for dissolving the assembly. When that measure was, notwithstanding, persevered in and carried by the signature of the ministers of justice and the war department, they immediately tendered their resignations, which were accepted; and it was not till the 14th, when the minister at war also resigned,

that the following administration was formed:—Pedro de Aranja Lima, for the interior; Luis Jose de Carvalho e Mello, for foreign affairs; Francisco Villela Barbosa, for the war department; Pedro Joze da Costa Barros, for the marine; Don Mariano Jose da Fonseca, for finance; and Clemente Ferreira França, for the department of justice. To these were added four counsellors of state—Antonio Luis Perreiro da Cunha, Manoel Jacinto Nogueira da Gama, Jose Joaquim Carneiro da Campos, and Barão de Santo Amaro. Even this administration did not long continue entire, for on the 16th the ministers of the interior and marine gave in their resignations; upon which the minister at war, Francisco Villela Barbosa, was moved to the marine department, and João Severiano Macial da Costa and João Gomez da Silveira Mendonça appointed, the former to the interior, and the latter to the war department.

On the 13th, the emperor published the following proclamation:—“I, Don Pedro, &c.—Having convoked, as I have a right to do, the general constituent and legislative assembly, by the decree of the 3rd of June last year, in order to save Brazil from the imminent danger with which she was threatened; and that assembly having perjured itself by violating the oath solemnly made to the nation, to defend the integrity of the empire, its independence, and my dynasty; I have thought proper to dissolve the said assembly, and to convocate another, according to the rules laid down for the convocation of that which has now ceased to exist. This new assembly will have to deliberate on the plan of a constitution, which I intend shortly

to present to it, and which will be infinitely more liberal than that which was approved by the late assembly. My Ministers and secretaries of state, in all the different departments, have received the requisite instructions, which they will carry into execution for the welfare of the empire."

This was followed on the 16th, by a long manifesto, in which his majesty vindicated his late proceedings. Apprehensions were entertained of the effects which might be produced in the provinces by vague intelligence of the events in the capital. The posts therefore were stopped; and on the 14th, an embargo was laid on the shipping in the harbour of Rio, which continued till the 21st. On that day the *Laconia* transport, on board of which the six arrested deputies and their families had been placed, sailed with sealed orders not to be opened till her arrival in a certain latitude. As the vessel had been supplied with provisions for five months, her destination, though given out to be *Havre de Grace*, was generally supposed to be some far more distant port; and conjecture pointed at that of *Goa*, in the East Indies. The departure of the democratic members was followed by a proclamation from the minister of police, affixed in all the public streets, offering a reward of 400 milreas (about 100*l.*) to any person, who would enable him to prosecute to conviction the authors of certain placards reflecting on the recent conduct of the government; offering, at the same time, to conceal the names of the informers, and to observe strict secrecy in the prosecution. This proclamation struck more alarm into the inhabitants, than any other act of the

Vol. LXV.

emperor; for, in a country where for a small bribe persons could be found ready to swear any thing, no one felt himself secure against a secret prosecution. On the day after this proclamation, the only journal, which remained in opposition to the government, gave notice, that the publication could no longer be continued. It was not till the 25th, that the troops arrived from the cantonments at *St. Christovão*, in which they had been placed by the emperor's order.

The subsequent conduct of the emperor showed, that the two charges which had been brought against him—of his aiming at despotic power, and of his being inclined to promote an union with *Portugal*—were alike groundless. Immediately after the violent dissolution of the congress, certain bases for a fundamental law of the monarchy were presented in his name to the council of state; and on the 11th of December, that body, with his approbation, promulgated the project of a constitution, which, though far from perfect, was blameable, rather as leaning too much to popular forms and powers, than as leaving the prerogative too unrestrained. It borrowed something or other from almost every species of constitutional experiment or theory that had been heard of in the *Brazils*—sometimes from the system of the rights of man; sometimes from the French charter; sometimes from the English constitution; and sometimes from that of the Spanish Cortes. The indirect or parochial and provincial elections were from the latter source—and the age of 40, prescribed for the senators, was adopted from the example of the French chamber of deputies. [*Vide* Public Documents, p. 175*].

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On the 17th of December, this project was, by a royal order, submitted to the municipal body of the capital, in order that they might make their remarks upon it. On the 22nd, the municipal senate signified by a proclamation to the public, that, having examined the scheme of the constitution, drawn up by the council of state, on the basis offered by the emperor, they had no observations to make upon it; that the project was a proof of the liberal views of his majesty, and of his humanity; and, considering that a new assembly could do no more than accept this project, and that it was of the highest importance to avoid the delay, which would ensue from waiting for the acceptance of the constitution by a new assembly, the senate had therefore resolved to collect the general sentiments of the citizens, by inviting them, without any constraint, to sign their opinion in two books prepared for the purpose—one for those who approved, the other for those who disapproved the project. The books were to remain open for 12 days; by which time, the senate, knowing the general opinion, would be able to petition his majesty in the name of the people, to put the scheme in force as the constitution of the empire, and convoke the assembly in the form prescribed by this project, which should remain the political constitution of the empire of Brazil.

At Bahia, on the arrival of intelligence of the events at Rio de Janeiro, a protest was prepared and signed by several individuals, expressive of their disapprobation of the emperor's conduct in dissolving the legislative assembly. On the 17th, however, a general meeting of the principal persons in Ba-

hia was held on the invitation of the government, to consider what steps ought to be taken, but nothing occurred, except the passing a resolution to consider that protest as null and void. Those, who had signed it, addressed the meeting, principally with the view of exculpating themselves for having done so, by alleging that they were not aware, at the time, of the real state of the case. Upon the whole, there appeared to be a general disposition to be satisfied with the conduct of don Pedro.

At Pernambuco, measures were taken, in the month of December, for executing the decree for the expulsion of those Portuguese who had not taken the oath of adherence to the Brazilian government, and a ship was prepared for their conveyance to Europe.

The insubordination of the soldiers, and the prevailing jealousy against Europeans, made *Para* the scene of melancholy events. On the night of the 13th of November, the troops beat to arms, and declared their determination to expel or murder every Portuguese in the place. They commenced by taking possessions of the forts, barracks, and depositories of arms and artillery; they then armed all who joined them, broke open the taverns and shops of the Europeans, and marched through the town with fixed bayonets, calling out, "Death to the Europeans! long live independence and the emperor Pedro!" Having reached the palace of the government, they deposed the president, and elected another of their own choice—a priest well known for his hatred to the Portuguese. They then demanded the proscription of nearly all the government officers, and the confiscation of their property; the whole of

which was promised them. Families fled to the country or on board ship; the houses and shops were shut up, and no persons were seen in the streets, but these ruffians, with bludgeons, and swords, in small gangs, pillaging, fighting amongst themselves, stabbing each other, and knocking down every Portuguese whom they met. They kept possession of the town till the 15th; when capt. Grenfell, of a brig of war of lord Cochrane's Brazilian squadron, landed, with 40 or 50 seamen, mostly English, and having gotten possession of the repository of arms by surprise, despatched thence a detachment of English sailors against a strong body of the rioters, who were robbing two large stores. After a sharp contest, the sailors obliged them to fly, having killed five or six, wounded sixteen or eighteen, and taken about forty or fifty prisoners. The greater part of the soldiers then retired. Early in the morning of the 16th, captain Grenfell sent round to invite the inhabitants to meet at the Train, (or repository of arms), where they all received arms and ammunition. These volunteers being arrayed along with the militia, and supported by eight pieces of artillery manned by Englishmen, the soldiers were ordered to lay down their arms in their quarters, and surrender themselves prisoners. Contrary to general expectation, they immediately complied with this requisition, and were marched between two columns of volunteers, to the Palace-square, headed and flanked by volunteers, artillery, and militia. There they were ranged in a column, with the militia in front of them, and the loaded artillery bearing upon them, to fire instantly, should they resist the sentences about to be passed. Soon

after, a body of cavalry, 40 to 50 strong, who had not yet surrendered, galloped up with an intention to charge and throw the infantry into confusion, that their comrades might escape; but seeing two pieces of artillery pointed against them, they drew up, and surrendered. There were now 500 unarmed men on the ground. Every thing was as still as death. A council of war was held before the Palace, and it was determined that five of the ringleaders should suffer instant military execution. The serjeant who commanded the cavalry, a notorious character, one of the heads of the rebellion, and a reputed murderer, was selected as the first to suffer. He, at first, conceived the whole to be a joke, but finding the case desperate, he only begged to be confessed, and allowed five minutes for this duty. He knelt down at the mouth of a gun, with a priest at his side. The moment the time had expired, he was taken to the front and shot by a file of soldiers. The four others were then brought out and dispatched in the same way. About 150 of the known rioters were then picked from the ranks, and sent to prison; whence, with about 100 others, detected in robbing, or receiving stolen goods, they were next day sent on board a prize-ship, in the harbour. The remainder of the troops were, after a severe reprimand, ordered to their quarters.*

* The sequel of this horrid transaction was still more horrid: It took place on board of the prison-ship, which contained about 256 individuals. About nine, on the night of the 19th, the sentinels on deck heard a great noise below, and repeatedly ordered quietness, without effect. In a short time, finding the prisoners were forcing the hatches, they immediately fired one or two volleys

The expedition, which had been fitted out from Lisbon in the autumn of 1822, for the relief of Bahia, arrived in that port on the 30th of October. As soon as the troops landed, general Madeira prepared an attack on the headquarters of general Labatut; for which purpose a body of about 400 men embarked at Bahia, and attacked the Brazilians at Cabrito, while another detachment of equal force marched by land to Piraja.

among them, after which, every thing was quiet. In the morning, they took off the hatches, to remove the dead, and they found only *four* out of the 256 alive! The place presented a most appalling spectacle of lacerated and mangled bodies. Some had their eyes thrust out: the tongues of some hung out of their mouths: others had their ribs driven in; others, their mouths torn from ear to ear. Some were hanging by their hammock-strings by the neck; others by their middle, with their heads down; and some had undergone mutilation too horrible to be described. It appears the carnage commenced by a party of them wishing to murder all the Europeans, who were their fellow prisoners (about 10 or 12 in number); being in the dark, they dispatched many who were not Europeans, which excited ill blood (a). They did not, moreover, all agree upon escaping by force, which increased the animosity amongst them, and a mutual massacre of the most savage nature commenced; for they had no edged weapons, nor any thing but their hands and their hammock-ropes. They were all naked, their clothes being torn from their backs. They had piled up the dead bodies under the hatches, to form a kind of platform to enable them to reach the gratings; and most of these were bodies of Europeans. About 20 were killed by the discharges of musketry. The four, who were found alive, had hidden themselves under the water-casks at the commencement of the fray, and had not suffered in health.

(a) Other accounts suppose, that they had destroyed each other in a fit of insanity or desperation.

The result of their joint attack, according to Madeira's account, was, the defeat of the Brazilians, with the loss of 250 men and five field-pieces. The Brazilians, on the contrary, asserted, that their advanced posts at first retired in good order, leaving a few pieces of artillery behind them; that, on arriving at the main body, intrenched on a hill commanded by some artillery, they made a vigorous stand, and repulsed the Portuguese in three successive attacks, with considerable loss; that the Brazilians, having now brought up some additional pieces of artillery, obliged the enemy to fly into the town with such precipitation, that they left behind them the field-pieces which they had taken in the morning, besides two of their own; and that the Brazilians immediately advanced nearer to the town.

Many skirmishes followed, which produced no important result. On the 7th of January, Madeira made an attack on the island of Taporica. His force consisted of 1,500 men, on board of two brigs, 20 gun-boats, and some smacks, all provided with guns of considerable calibre. The assault lasted five hours, and ended in his being compelled to retire with a loss of 200 men.

In February, the Brazilians made a vigorous attack on the left wing of the Portuguese, but were repelled with considerable slaughter and dislodged from their positions. The independents, dissatisfied with the repeated failures of their general Labatut, deposed and arrested him. On the 2nd of May, colonel J. J. de Lima e Silva took the command of the besieging troops.

Though Madeira had a force capable of repelling assault, his situation was becoming every day

more embarrassed. On the 14th of December, 1822, he had under him 4,301 troops of the line, and 4,374 militia. On the 14th of February, his strength was reduced to 4,222 troops of the line, and 3,851 militia, forming a total of 8,073. Thus, in the course of two months, the militia lost 523 men, nearly all by desertions. The sick of the troops of the line, alone, in the hospitals and quarters, amounted to 739. And the difficulty of procuring supplies from without, increased every day.

In proportion as affairs seemed to be drawing to a crisis, Madeira acted with augmented vigour. He took into his own hands the whole civil authority, and made active preparations for defending the city to the last extremity. He subjected the inhabitants to martial law, and, provisions having become extremely scarce, compelled the women, children, and all persons incapable of bearing arms, to quit the city. The excluded population having been refused a conveyance from St. Salvador's by sea, were forced to go in the direction of the interior; but there being no place of refuge within a considerable distance, and most of them being ill-provided with necessaries for the journey, great numbers perished by the way, of fatigue and hunger.

While Madeira was thus arranging his plans for the effectual defence of his post, an indiscreet exertion of his power increased his danger. On the 20th of May, he issued an order for the removal of Jean Felix, the Portuguese admiral, on the ground of incompetency, from the command of the navy. The sailors, however, who were much attached to him, mutinied; the admiral continued in his

command, in despite of Madeira, and on the 25th put to sea with his whole fleet. Before sailing, he despatched a letter to Madeira, in which he informed him, that, affected by the state of severe privation to which Bahia had been reduced, and convinced of the ultimate impossibility of preserving the province for Portugal, he was resolved not to co-operate any longer in that object—that he intended putting to sea for a cruise of ten days, which period he would allow to the governor for deliberation; but that, if on his return he was not prepared to embark with the troops under his command, he should cease to act with him, and should pursue for himself that course, which appeared, under the circumstances, to be most advisable.

At last, Madeira found, that, by the end of June, the provisions remaining would be adequate to little more than 30 days consumption; which would scarcely be sufficient for the voyage to Europe. He caused all the troops, subjects, stores, and property of Portugal, to be embarked on board the ships in the harbour: and at noon on the 2nd of July, the fleet and the merchant ships, consisting of upwards of ninety sail, got under weigh for Lisbon. The city was immediately occupied by Silva's forces.

Lord Cochrane, who had entered with the approbation of the Chilian government, into the service of don Pedro, had taken the command of the Brazilian fleet, in the month of March: and with a small squadron was off the harbour of Bahia, at the moment when Madeira set sail. The Portuguese force, consisting of thirteen ships of war, besides numerous armed merchant-men, was too strong to

be attacked by an armament so inconsiderable as his. But he watched and followed them: and by skilful manœuvres, succeeded in making several captures. More than twenty of them, it is said, fell into his hands.

Monte Video also surrendered in the course of the year to the Brazilians: so that Portugal no longer possessed a single station in South America.

On the 6th of September, the corvette called the *Voador* with two Portuguese commissioners, the count de Rio Maior and don Francisco Jose Vieira, late minister of Brazil, arrived at Rio de Janeiro, to announce the restoration of the king of Portugal, to his former power. The *Voador*, with the commissioners on board, entered the harbour under Portuguese colours, and without hoisting a flag of truce. She fired a royal salute, which was not returned. Soon after, an intimation was sent on board, that no person would be permitted to land: the rudder was unshipped and deposited in the arsenal; the corvette was laid up under the guns of the batteries; and the government treated her in every respect as a prize. The commissioners, not being able to declare that they had authority to recognize the independence of Brazil in the first instance, were not allowed to negotiate on any other point, and were immediately sent back to Europe in the Portuguese brig of war *Treire de Maio*.

From a statement of the finances, which was laid before the congress on the 26th of September, the exchequer of Brazil appeared to be in no very flourishing state. The estimated ordinary revenue for the half year was 1,767,000 milreas; and the expenditure for the same

time was expected to exceed this sum by 900,000 milreas. The debt amounted to 30,500,000 crusadoes, or about four millions sterling. The local revenues of the different provinces were likewise inadequate to their local expenditure. The annual deficit of Minas Geraes amounted to near 60,000 milreas; that of Goiaz, to near 20,000; that of Matto Grosso to 10,544 milreas; that of Santa Catharina to 34,870; making in all more than 125,000 milreas. The other provinces of Spirito Santo, Bahia, Pernambuco, Rio Grande, Alagoas, Paraiba, Maranhao, &c. were likewise in arrear. Santo Spirito presented an annual deficit of 33,172 milreas. The charges thrown upon the treasury by these deficiencies in the local revenues, amounted to 280,000 milreas annually. In the midst of such difficulties, the government had sought relief in forced loans and contributions, donations, and even sequestrations, by which means they had obtained about a million of crusadoes. But they now hoped to find a more effectual resource in a loan, the negotiation of which had been commenced in London. The proposed terms of it were—that 2,500,000*l.* should be raised by the sale, at 75 per cent, of 3,333,333*l.* stock, bearing 6 per cent interest.*

* The statements of the minister of finance specified with extreme minuteness, all the sums advanced in support of the emperor or his household. The expenses incurred at the christening of the emperor's daughter amounted to 5,000 milreas (about 1,200*l.*): there was paid for books and the charges of the imperial library, about 250*l.* A new tiling to the emperor's palace and to the adjoining houses cost 800*l.* Don Pedro's coronation cost only 67,200 milreas, or somewhat less than 17,000*l.*

CHAP. XIV.

ITALY—Prosecutions—Election of a New Pope—IONIAN ISLANDS—TURKEY—War with the Greeks—Military and Naval situation of the Greeks—Military Operations—Naval Operations—Predatory Incursions in Asia Minor—Affairs at Constantinople—Difficulties with respect to Wallachia and Moldavia—Seizure at Constantinople of Ships under the Russian flag—Concessions of the Turks—Arrangements between Turkey and Austria—Treaty between Turkey and Persia.

ITALY continued tranquil under her despotic administrations. In Naples and Lombardy, prosecutions for the political transgressions of 1820 still went on, and several of the accused were condemned to death: but enveloped in secrecy as these proceedings were—the precise nature of the charges unknown as well as the evidence by which they were supported—that they were carried on, is all that can be safely stated with respect to them.

On the 20th of August Pope Pius 7th breathed his last, regretted by his subjects and revered by the whole Christian world. [*Vide Biography, p. 210.**] On the 27th of September, the cardinal Della Genga was elected his successor, and assumed the name of Leo the Twelfth. The new pope was born on the 2nd of August, 1760, at the Castle de la Genga, situated between the Duchy of Urbin and and the March of Ancona. He was Nuncio during 14 years in the electorates of the Rhine, and at the period of the persecutions exercised by Buonaparte against the head of the Church, was obliged to quit Rome. In 1814 he was sent by Pius 7th to congratulate Louis 18th on his

restoration to the throne. At the moment of his election, he was Cardinal Vicar, that is, administrator, in spiritual affairs, of the diocese of Rome. He has the character of being a man of great learning, accustomed to business, and of irreproachable morals.

The Ionian islands continued to enjoy, under our dominion, quiet, and increasing prosperity: and, at length, those groundless and so often refuted charges of oppression and misgovernment, which enmity to England invented, and party spirit at home foolishly circulated, against sir Thomas Maitland, began to sink into the oblivion which their falsehood deserved. A new parliament was elected, and met at Corfu on the 1st of March. The session was opened by a speech from the lord commissioner. With respect to the war in Greece he observed, "These unfortunate hostilities are, as usual, attended with the greatest horrors and atrocities. The Ionian government, however, will continue to seize on every opportunity of exercising the duties of hospitality and humanity, in favour of the unhappy victims of that wide desolation which forms the peculiar character of this cruel

and bloody warfare." In regard to the internal quiet of the islands themselves, he stated that he felt confident of the continuation "of the present calm and unruffled tranquillity;" and recommended, in consequence, to the Ionian Executive government, "the recall to their native island Zante, of those turbulent individuals, being five in number, whose behaviour, during the late crisis in the Morea, forced the government to remove them from the island for a time. They comprise the whole of the individuals treated in this manner; nor is there a single person within the states in a state of arrest or detention on this account."

The speech then adverted to the finance of the islands. The public accounts reached to the 31st of January, 1823, the close of the financial year. The receipt during the year was 707,875 Spanish dollars; the expenditure, 590,518; leaving a surplus revenue of 117,357. "Your financial affairs" (said the general) "continue to wear a promising aspect. Certain it is, that this is not the result of fresh taxation, for you well know that no additional imposts have been laid on the people, since the establishment of the present constitutional government of 1817, unless the modification of the then existing taxes, made by parliament in 1818, is considered in that light. But to settle this point at once, there is laid on your table a return of the present commercial duties, and taxes of all descriptions, together with a statement showing how they stood at the period of and antecedent to, the connexion between Great Britain and the Islands. From these documents it appears, that mitigations, not aggravation, of taxation, was the

result of the regulations of 1818, alluded to."

The crops during the preceding year failed in Corfu. In the island of Cephalonia, Zante, and Ithaca, the year was one of unexampled prosperity, in consequence of the goodness of the crops and the price for currants being high beyond all precedent, owing to the total destruction of the currant plantations of the Morea by the contest in that peninsula.

On this point sir Thomas Maitland said—"From real documents which have been submitted to me, it appears, that the proprietors of Cephalonia, Zante, and Ithaca, have received in one year a return, clear of all charges whatever, of 20 to 30 per cent on the value of their respective properties; and it affords me the highest gratification, at a time when the agriculturists in all other parts of the world find the greatest difficulty in obtaining sale for their produce, that the inhabitants of these islands form the happiest exception to the general distress; and that the praiseworthy industry they have shown, since the establishment of the present government, in the material extension of the cultivation of their lands, has met its due reward."

In regard to the expenditure, the civil list was laid on the table for the consideration of the assembly; also an account enumerating every item of the whole expenditure. The chief heads of it were alluded to in the speech; such as the government new buildings at Corfu, the new market and lazaretto in Cephalonia, and the new military hospital in Zante; the money expended in all the islands in the making of roads, and in paying, during the last year, an extra body of the militia to guard the coasts—a pre-

caution made necessary by the appearance of the plague on the opposite shores. The lord commissioner stated that the new college would open in the current year, not however in Ithaca, as formerly proposed, but in Corfu.

In respect to the administration of justice, the general expressed his regret that greater progress had not been made in remedying the defects; he believed, however, that great substantial amelioration had been effected, and adverted to an act of Parliament of the former year, from which much benefit had been derived, and from the effect of which he expected the certain reformation of the laws, and of the judicial service of the States.

The address concluded with some observations on the late general elections :—

“ At the time (said sir Thomas Maitland) that the present charter was framed, it must be known to those I am now addressing, that the greatest difficulties were supposed to exist in introducing the system of voting *viva voce*, instead of the one in practice of balls and balloting boxes; and it was even contended that this last manner of voting was necessary, for the peace and harmony of society.

“ It appeared to me then, as it does now, that the introduction of the system of voting *viva voce* on all occasions, would of itself tend to form the character and correct the morals of the people more than any other measure that could be adopted; and its success has, I own, exceeded my most sanguine expectations, and I apprehend, has also surpassed those of every well-wisher to his country: for, whether we look at the number of electors who assembled, and their zeal and anxiety to exercise their

elective franchise, or whether we consider the quality and description of the persons they returned as their representatives, it must be obvious, that every thing that has been said by a few factious individuals, is proved by the act and deed of the whole of the nobility, and of every person of respectability or property in the country, to be utterly false. The conduct, in fact, observed by all ranks of society, seems to me to be exactly the one best calculated to ensure, and at the earliest period, an extension of the liberties and franchises possessed by the people.”

The war between the Greeks and the Turks continued to rage with undiminished fury, but without any decisive results on either side. In January the siege of Missolonghi was raised. Churchill had been succeeded by the Seraskier Mahomet Pacha. That chief had his head quarters at Larissa in the beginning of the year: but even so late as the end of spring he was without an army. The Pachas who commanded in Albania were at the head of a considerable force; but that force, instead of being employed in the subjugation of the Morea, found more than sufficient employment in checking the insurgent Beys of Albania. The Turkish arms were every where paralyzed by the inadequate supply of military stores, and by the want of money for the regular pay of their troops.

The Greeks on their part, introduced, in a pretended assembly of deputies, some fancied improvements into their imaginary constitution, and made some alterations in their official arrangements. Petro Bez, a military chief, was placed at the head of the execu-

tive government; and Maurocordato, the late president, accepted the office of secretary of foreign affairs under him. But the nominal government for Greece had neither the resources to maintain, nor the influence to control even the scanty bands that fought for their cause. For the Greek soldiers received no pay; not more than a third of them were equipped with sufficient clothing to shelter them from the inclemencies of a mountain warfare; they almost invariably slept in the open air, and frequently had to pass two or three days without any other food than the herbs of the field. So far as they did not provide for themselves, they were supplied from the scanty resources of the individual chiefs whom they followed. The general mode adopted by the chiefs was, to advance a small sum, generally about two Spanish dollars, to each soldier previous to his entering the field; with which he provided himself with bread, tobacco, and whatever other necessities he might require, as far as the money would suffice. The necessary consequence of this state of things was, that the troops were rather the partisans of particular leaders, than the servants of the government, and that the dissensions and jealousies of the chiefs prevented any consistent plan of operations from being perseveringly acted upon.

The navy was equally deficient in permanent organization. It consisted, in fact, of nothing more than about a hundred (at one time the number was 180) vessels of various sizes, fitted out as privateers, by about thirty individuals resident in Hydra, Spezzia, Ipsara, and Samos. The seamen amounted nominally to about twenty

thousand; and the chief difficulty with respect to them, consisted in providing for their families in their absence.

Under these circumstances, nothing of importance could be expected to be accomplished. The operations by land consisted either of ineffectual blockades, or of petty guerilla warfare; the events of which were usually magnified for a time into decisive victories. The Greeks besieged Patrai, but in vain. The Turks, on the other hand, moved downward on the Morea with a considerable force. But they were retarded so long by the difficulty of procuring provisions, and so harassed by the hostility of the inhabitants of the mountainous districts through which they had to pass, that the autumn was arrived before they came near to the destined scene of action, and a great part of their mercenary troops quitted their standard. The example of dispersion, being once set, was speedily followed; and by the beginning of August, the army, without having accomplished any one thing, ceased completely to exist. One of their chiefs, however, again formed the siege of Missolonghi; but, after losing nearly two months before that place, they were obliged to hasten away from it, abandoning their wounded and their sick, as well as a considerable quantity of stores. The Turks still held Modon and Coron. In Candia they received important assistance from the Pacha of Egypt: yet Canea and Retyrno were the only fortresses which they retained in that island, and these were closely blockaded.

The Greek fleet was late in commencing operations; and it was kept in check by the neigh-

boorhood of the captain Pacha with a numerous fleet, which the Porte had made great efforts to equip, and which, during part of the year, had the benefit of the co-operation of the Egyptian and Algerine squadrons. The insurgents, however, had several partial successes; and their practical superiority to their enemies was proved by this—that the Turkish admiral did not dare to make any attempt to reduce Milo, Naxia, Tino, Myconos, Skyro, Samos, Andro, Zea, Patmos, Serpho, Ayda, Spezzia, Ipeara, or any of the other islands which had thrown off the yoke of the infidels; and that, in the end of the year, he abandoned the Grecian seas, with nothing to boast of, except that he had furnished stores to one or two besieged fortresses, assisted for a time in the fruitless blockade of Missolonghi, and with two divisions of his fleet maintained an engagement with some thirty or thirty-five Greek ships, in which both parties claimed the victory.

The horrors of war were considerably augmented, without any real advantage to the cause of independence, by predatory inroads of the insurgents on the coasts of Asia Minor. On one occasion, fifteen Ipsariot armed vessels, accompanied by upwards of 100 barks, appeared in the bay of Adramit and Sandarly, landed a number of men near the latter place, plundered the town, murdered the greater part of the inhabitants, and carried a great number of them into slavery, among whom was the Harem of *Cara-Osman Oghu*.* They then plundered and burnt all the vil-

lages and farms in the neighbourhood; and after a short action with some troops that were sent against them, in which they lost about thirty men, returned to their ships laden with booty. The original plan of the Ipsariots was calculated on a more extensive scale. They had threatened to proceed from Sandarly to Smyrna, in order to set fire to that great city: but the commander of one of the European squadrons cruising there being informed of this intention, repaired in person to Ipeara, and represented to the Primates, that if such an attempt should be made, all the commanders of European ships of war would oppose it. This unexpected attack filled the whole country first with terror, and afterwards with boundless rage: and the consequence was, that, in the town of Pergamo, not far from Sandarly, the Turkish inhabitants and soldiers fell on the Greek population, and, notwithstanding all the exertions of the Cadi, a dreadful massacre ensued, in which about 1,000 were killed. When the account of these transactions was received at Constantinople, the sultan ordered Ibrahim Pacha, who commanded the troops on the Bosphorus, to send immediately a large detachment to Pergamo, and to punish, with the utmost rigour, the authors of these sanguinary scenes, which, he declared, were neither justified nor excused by the preceding excesses of the insurgents.

The influence of the janissaries, which, at the end of the preceding year, had asserted its predominance so triumphantly against the sultan and his favourites, still conti-

* This is the Chief of the powerful family, which for about fifty years has exercised, in this part of Asia, a sove-

reignty almost independent of the Porte, and (as all travellers agree) in a mild and beneficent manner.

nued. Haleb Pacha, who was regarded as a zealous friend of that military mob, was appointed to the command on the Bosphorus. About the same time, the Mufti was removed from his high office.

Lord Strangford had still the arduous task to discharge, of carrying on the negotiations for the preservation of peace and for the removal of the grounds of quarrel between Turkey and Russia. Moldavia and Wallachia occasioned, in appearance at least, the chief difficulty. For though the Porte had nominated Hospodars in the two principalities, had declared its willingness to allow the inhabitants to enjoy the privileges which were secured to them by treaties, and had issued orders for the evacuation of the provinces by the Turkish soldiers; yet Russia complained, that, instead of these orders having been punctually and fully executed, considerable bodies of troops were still stationed in those provinces. On the other hand, the Turkish ministers, were dissatisfied at the presence of a numerous Russian force in Volhynai, Podolia, Bessarabia, and the adjacent districts, and insisted, that they could not be expected to leave their own frontier in a defenceless state, when a neighbouring power menaced them with a formidable military array. They further declared, that the presence of some troops was absolutely requisite for the internal tranquillity of the principalities, and had been asked for in formal petitions by the Christian Hospodars themselves.

Another difficulty arose from the precipitate conduct of the authorities at Constantinople, in seizing and detaining in the arsenal four ships, which were sailing for the Mediterranean under the Rus-

sian flag. The pretext for this seizure was, that the ships were in fact Greek, and on their way to co-operate with the insurgents. After many urgent representations from Lord Strangford, they were released in the month of June. Some progress was also made in removing the other obstacles to peace. The Russian troops were partly withdrawn from Bessarabia to cantonments more remote from the Ottoman frontier; and the Turks, on their part, gave reason to expect, that the principalities would be forthwith evacuated by the Pacha of Silistria, and made some concessions with respect to the navigation of the Black Sea.

The Austrian Internuncio had exerted himself to soothe the apprehensions which the divan entertained of Russia; and he obtained for his court some commercial advantages, by the removal or alleviation of several of the inconveniences to which Austrian vessels were exposed in the Dardanelles and the harbour of Constantinople.*

* The following were said to be the principal articles of a convention between Austria and Turkey:—

1. The visitation of the Austrian ships on their arrival in the Dardanelles, is to be continued, as the Ottoman government, particularly on account of the Greek insurrection, cannot neglect any precaution; but this visitation is not to be attended with any inconvenience or expense.

2. The vessels so visited in the Dardanelles are exempt from any further examination.

3. The practice of visiting the ships at the moment of sailing out of the harbour of Constantinople is wholly abolished: it is to take place only when the vessels go from the Dardanelles into the Black Sea, and then to be without inconvenience or expense.

4. The custom, which has gradually been introduced, for the captains to pay

On the 28th of July, hostilities between Persia and the Porte were concluded by a treaty, founded on the basis of that of 1744. The

two hard piasters whenever they cast anchor, and another tax whenever they change their station, is abolished.

5. The duty of two or three hard piasters, which the ships, after taking in their cargo, had to pay the custom-house officers, &c., is also abolished.

6. Likewise, all duties, which, under various pretexts, were demanded from ships proceeding from Constantinople to the Black Sea.

7. Also, the duty of eleven Turkish piasters for the *Ham*, which precedes the delivery of the firmans permitting the transit of goods.

8. These firmans shall be delivered without delay, and not be withheld for 15 or 20 days, as has been done hitherto.

9. The practice of putting officers (*Techanuchs*) on board the ships as soon as they arrived, who remained on board till they sailed again, is totally abolished.

principal stipulations were, that the country within the Turkish frontier, of which the Persians had taken possession before or during the war, should be restored, with all the fortresses, towns, &c., in their existing state; that the two powers should bind themselves not to interfere in each other's affairs; that Persian pilgrims, passing through the Ottoman territory to Mecca and Medina, should be free from all taxes or duties which had not been established by antient usage; that the wives of the Persian monarch, and of the princes and grandees of his dominions, when on pilgrimage to Mecca or Kerbelah, should receive all the honours due to their rank; and that the two powers should send, each to the Courts of the other, an ambassador every three years.

CHAP. XV.

UNITED STATES—Laws against the Slave Trade—Opening of the Session of Congress—Negotiations with England, France, and Russia—Finances of the United States—Quarrel with the Riccaree Indians—MEXICO—Deposition of Iturbide—Internal dissensions—Meeting of a Congress—Proposed Constitution of Mexico—Negotiations with the Spanish Commissioners—Dispute between the Town of Vera Cruz and the Castle of St. Juan de Ulloa—Consequences of that Dispute—COLOMBIA—Santa Martha—Maracaibo—Porto Cabello—Naval successes of the Spaniards—Capture of Moracaibo by the Colombians—Surrender of Porto Cabello—Insurrections of the Indians—Insurrection at Pasto—Proceedings of the Congress of Colombia—Treaties with Chilé and Peru—PERU—San Martín resigns his Authority—Expedition against General Canterac—Victory of the Spaniards—Riva-Aguero declared President—Temporary occupation of Lima by Canterac—Dissensions between Riva-Aguero and the Congress—Reinforcements received from Colombia and Chilé—Military Operations—Bolívar arrives at Lima, and is placed at the head of Affairs—His preparations for carrying on the War—Riva-Aguero taken Prisoner—CHILE—Discontent with the Administration of O'Higgins—O'Higgins and Rodríguez resign—A Junta appointed—General Freyre is named Director—BUENOS AYRES—Preliminary Convention with Spain—Misunderstanding with one of the English Naval Officers on the station—HAYTI—PORTO RICO.

THE United States attested their sincerity in the abolition of the slave trade by passing a law, which made it piracy to be concerned in that traffic, and by instructing their ministers at the different courts to use their endeavours to induce all the powers of Europe to adopt the same measure. Vessels, fitted out for the trade, were to be condemned, though no slaves were actually found on board.

The first session of the eighteenth congress of the United States was opened on the first of December. Mr. Clay was elected Speaker of the House of Representatives

by 139 votes out of 181; and, on the following day, the President's message was read to the Senate and House of Representatives. That document contains detailed statements of the foreign relations and internal situation of the country during the year: and to it therefore we refer the reader [*Vide Public Documents p. 183**]. The most important part of the message was that, which announced the views of the American rulers on the subject of the interference of the allied powers with the affairs of those regions, which had once been colonial dependencies of Spain. "We owe it to candour," said the president,

"and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered, and shall not interfere. But, with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light, than as the manifestation of an unfriendly disposition towards the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition; and to this we have adhered, and shall continue to adhere, provided no change shall occur, which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States, indispensable to their security."

The determination of a part of the boundary between Canada and the United States, with respect to which the commissioners under the treaty of Ghent had disagreed, was the subject of amicable negotiation between the two governments: as were also the pretended claims of the citizens of the United States, inhabiting the banks of the rivers and lakes that empty themselves into the St. Laurence, to enjoy the navigation of that river to the ocean. Against France there were two subjects of complaint; one,

that the French squadron, which blockaded Cadix, had prevented an American frigate, on board of which was the envoy to the king of Spain, from entering the harbour; the other, that the American demands for indemnity in respect of the seizure and confiscation of American property during the war, had not yet been satisfied. These several claims of Great Britain, Russia, and the United States, with respect to the Western Coast of America, were in the course of arrangement by negotiation at Petersburg: and in that negotiation, the United States maintained as a principle, "that the American continents, by the free and independent condition which they had assumed and maintained, were thenceforth not to be considered as subjects for future colonization by any European power." This claim was scarcely less extravagant than that of the Russian Ukase. The northern Autocrat excluded every body but himself: the trans-atlantic republic would fain have excluded both him and every other more civilized European.

The ambition of the United States, disguised under a veil of seeming humanity, was likewise strongly marked in a proposal, which their ministers made to France, Russia, and Great Britain, —that, in all future maritime wars, the commerce both of belligerents and of neutrals should be unmolested, except when an attempt was made to break a lawful blockade.

The state of the finances was flourishing. On the 1st of January 1823, there was a balance in the treasury of 4,237,427.55 dollars. The actual receipts during the three first quarters of the present year amounted to 16,174,035.26. Of this sum, the Customs had

produced 15,019,392·74 dollars; public lands, exclusive of Mississippi stock, 657,505·73; dividends on stock in the Bank of the United States, 350,000; arrears of internal duties and direct tax, and incidental receipts, 102,726·15; repayment of advances made in the war department for services or supplies, prior to the 1st of July, 1816, 44,410·64. The receipts of the treasury during the fourth quarter were estimated at 4,270,000, making the total estimated receipts during the year, 20,444,035·26; and, with the balance in the treasury on the 1st of January, 1823, forming an aggregate of 24,681,492·81.

The expenditure, during the three first quarters of the year, amounted to 11,422,847·30, viz. civil, diplomatic, and miscellaneous expenses, 1,510,735·14: military service, including fortifications, ordnance, Indian department, revolutionary and military pensions, arming the militia, and arrearages prior to the 1st of January, 1817, 4,383,715·62; naval service, including the gradual increase of the navy, 1,776,989·37; public debt, 3,751,407·17. The expenditure during the fourth quarter was estimated at 3,894,559·74, viz. civil, diplomatic, and miscellaneous charges, 489,704·11; military service, including fortifications, ordnance, Indian department, revolutionary and military pensions, arming the militia, and arrearages prior to the 1st of January, 817,899,449·93; naval service, including the gradual increase of the navy, 726,776·46: public debt, 1,778,629·24. Thus, the total expenditure of the year was 15,317,407·09 dollars; leaving in the treasury, on the 1st of January, 1824, an estimated balance of 9,364,055·77, from which how-

ever were to be deducted certain appropriations, amounting to 2,897,086·47 dollars.

The only interruption of tranquillity in the States of the Union occurred on their western frontier. In the month of June, a misunderstanding arose between a trading party, and the tribe of the Riccaree Indians, in consequence of which the latter attacked the traders and killed several of them. A military detachment immediately proceeded against the offending tribe and destroyed their village.

In describing, in the history of last year, the discontent which the proceedings of Iturbide excited in Mexico, we mentioned that the popular dissatisfaction terminated in the deposition of the emperor. It was produced by the arming of the provinces against him; he himself ascribed it to his reluctance to plunge the country into the horrors of civil war. The congress had been assembled in Mexico: and, at an extraordinary meeting of that body, held on the 19th of March, this adventurer, who found himself without a stay, either in popular favour or military zeal, signified his willingness to resign the power which he could no longer keep.

"I accepted," said he, "the crown with great reluctance, and acquiesced only through a desire to serve my country. But from the moment I perceived that to retain it would serve as an excuse or pretext for an intestine war, I determined to abdicate. I did not conclude on this course sooner, because there was no generally recognized body to represent the nation; and I considered that any step taken by me, unless there was, would have been both useless and

inferior to the country: these new debts one, and I accordingly abdicate. My presence in this country would be always a pretext for disturbances; and projects, of which I might never have thought, might be attributed to me. In order, therefore, to remove suspicion, I will leave this country, and direct my steps to a foreign one. Ten or fifteen days will be sufficient to regulate my domestic affairs, and to take the necessary measures to conduct my family and myself away." The only request he made was, that the government would discharge certain personal debts which he had contracted towards private friends. This they readily engaged to do; as well as to replace to private individuals, the convoys of money seized by him on their way from Mexico to Vera Cruz. They likewise granted to Iturbide himself, the yearly sum of 25,000 dollars, on condition that he should reside in Italy. He was subsequently conveyed to Europe with his family, in an English vessel, at the expense of the Mexican government.

General Victoria, reputed to possess very superior talents both as a soldier and a statesman, was at the head of the government which succeeded Iturbide. His authority and that of his two associates Bravo and Negretto was merely temporary and provisional, until a regular constitution could get established. After the lapse of a few weeks, some discontent began to appear, on account of the delay of the executive authorities in the completion of that great work. On the 5th of June, Brigadier don Antonio Lopez de Santistea published at San Luis Potosi, a plan for forming an army, to be

called "The Protecting Army of Mexican Liberty." The avowed objects of his scheme were, to strengthen the guarantees of popular liberty, to hasten the convocation of the congress which was to prepare the political constitution of the state, and to protect the provinces in their design of constituting confederated republics. The brigadier, stigmatising, as enemies of liberty, all persons opposed to his scheme, had caused himself to be declared general of the army, and arrested all the officers who opposed his measures. These disturbances were soon quelled by the prudent firmness of the authorities; and the pretext for them was removed by the meeting of the congress on the 31st of October. The consideration of the plan of a constitution was referred to a committee; who, in their report, proposed the scheme which they conceived to be the best adapted to the circumstances and feelings of the country. Fifteen states, constituting the Mexican empire, were to form a federal republic, governed by a congress and president. The congress was to be composed of a senate, to which each state should nominate two senators, and a chamber of deputies, who should be distributed among the provinces according to their population. The general powers of congress were, to sustain the national independence and security, and to provide for whatever regarded foreign relations; to maintain the independence of the states among themselves: to preserve the federal union, regulate limits, and settle differences between two or more states; to support the equal distribution of duties and taxes among the states; to admit new states: to regulate annually the general expenses of the nation; to

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establish the contributions to the general expense; their proportions and sources; to examine the accounts of the finances given by the executive power; to regulate external and internal commerce; to contract debts; to acknowledge the public debt, and fix the means of consolidating it; to declare war; to appoint the armed force by land and sea, and to fix the quota of the respective states; to organize the national militia, reserving to the states the nomination of the officers; to approve treaties; to concede to the executive extraordinary powers; and to make laws necessary to carry the constitution into effect. The duties and prerogatives of the president were, to put in execution the general laws; to name and displace the secretaries of the cabinet; to name officers of the government and interior; to declare war, when authorized by a decree of the general congress; to dispose of the land and sea forces, of the acting militia, and of the local militia within the territory; to appoint officers of the army, navy, and active militia, and to give discharges and furloughs to the military; to name, with the approbation of the senate, diplomatic agents and consuls; to direct foreign negotiations, and execute treaties previously approved of by congress; to have the right of objecting to the laws within ten days, and of suspending their execution until the decision of congress; to issue decrees for the better fulfilling of the constitution and laws; and with the advice of the secretaries, to pardon delinquents or commute their punishments. The Roman catholic religion was to be protected by the state, and all others were to be prohibited.

Subordinate to this general cen-

tral government, each province was to have a particular government of its own framed upon similar principles.

In the mean time, commissioners had arrived from Spain, for the purpose of concluding a treaty with Mexico. The first meeting between them and the Mexican representatives took place in Vera Cruz on the 28th of May, when they respectively produced their commissions, and agreed that their future meetings should be held at Xalapa. They accordingly assembled in that city on the 12th of June, when the Spanish commissioners read a long letter explanatory of the disposition of Spain towards Mexico. In the sitting of the 14th, D. Guadalupe Victoria called on the Spanish commissioners to declare explicitly the views of the Spanish government on the recognition of the independence of Mexico, in order that a definite reply might put an end to the idle reports, among the common people, concerning the sinister views of the mother country. The Spanish commissioners replied, that they could give no stronger proof of the disposition of their government to recognize the independence of Mexico than the fact, that they had offered suitable conditions and guarantees, and had clothed their commissioners with the necessary authority to act on the subject. On the 18th, Victoria inquired of the commissioners, if they were disposed to enter into a provisional treaty of commerce: They replied, that, in exercise of the authority vested in them by their Government, they were disposed to conclude a treaty of commerce under such conditions as would operate to the mutual advantage of both countries. The negotiations were protracted from

time to time, till they were suddenly broken off, in consequence of what happened at Vera Cruz.

On a small island, or rather swamp, close to that town and commanding its harbour, stands the castle of St. John de Ulloa, which was still held for Spain by General Lemour, with a garrison of about 300 soldiers, and was the only spot, throughout the whole of Mexico, which acknowledged the dominion of the mother country. While the commissioners were at Xalapa negotiating with general Victoria, Lemour, though an armistice had been concluded (the governor of the castle undertaking not to molest the town, and the governor of the city agreeing to furnish him with provisions), took possession of a small island at the east end of the harbour (Sacrificios) in a hostile manner. The governor of the city ordered the gates to be closed immediately against the castle, and cut off its usual supply of fresh provisions. General Lemour then gave up the island, and requested that the gates might be opened. But an express had been in the mean time dispatched to general Victoria at Xalapa, who told the commissioners, that, as general Lemour had violated the armistice, he would have nothing more to do with them, and ordered them to leave the country. They were as much displeased with the conduct of Lemour as the Mexicans were; and therefore, instead of repairing to the castle, they went to Alvarado, whence they sailed for the Havannah. Frequent flags of truce were sent from the castle to the city on the 23rd, 24th and 25th of September, to endeavour to get the gates opened; but to no purpose. At last, the general sent word, that if the gates were

not immediately opened, he would with his batteries destroy the city. The governor replied, that he might do as he pleased, and that he should have gun for gun. Accordingly, on the 25th, at half past 12 p. m., the fire from the castle commenced, the inhabitants having had only a few hours to leave the city. The cannonade of the town continued as late as to the 13th of October, by which time a great part of Vera Cruz was in ruins. The Mexican government, on their part, acted with vigour and spirit on the occasion. They determined that Vera Cruz should be abandoned, and cease to be a port of trade, so long as the castle of St. John de Ulloa should be held by the Spaniards. The Mexican merchants, in consequence, removed to Alvarado, which was declared the port of entry for Mexico, and a strict prohibition was issued against the admission of Spanish vessels into any port of the empire. All Spaniards were ordered to quit the country; and a formal declaration of war was issued against Spain.* General La

* The following was the declaration of war by Mexico against Spain :

"The unexpected commencement of hostilities by the governor of the castle of San Juan de Ulloa against the town of Vera Cruz, has compelled the supreme executive power, to adopt measures consequent on an aggression unprovoked by its inhabitants, and warranted by no political considerations.

"1 It is ordered that all political and mercantile relations with the Spanish nation cease.

2. "Using the lenity dictated by the philanthropic principles of the Mexican nation, it is ordered that all Spanish vessels immediately leave the ports of Mexico, the government not proceeding, as it might, to embargo or confiscate.

3. "That the same conduct be pursued with all Spanish merchantmen that may

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Motte and several other French emissaries, accused of treasonable intrigues, were arrested and put into close confinement. All Frenchmen were ordered to quit the country.

The Spaniards still maintained the contest on the shores of Columbia. On the 3rd of January, they took Santa Martha, after a spirited resistance, and acquired possession of the greater part of the province of Coro. On the 22nd, however, Santa Martha was re-taken by the Columbians; and Morales was obliged to hasten to Maracaybo, which was menaced by general Montillo at the head of 7,000 troops, and a flotilla under commodore Belouche. There he remained in a state of imperfect siege.

In the mean time, the Columbian squadron, under commodore Daniels, had stationed itself in Barbaretta bay, where it completely intercepted all communication with Porto Cabello by sea. This blockade continued till the 30th of April, when the Columbians were defeated in a severe naval engagement with the Spanish fleet, reinforced by two frigates which had lately arrived off that coast. The

Spaniards had a superiority of force, their fleet consisting of six vessels, carrying 186 guns, and 1,800 men, while that of the Columbians consisted of but four vessels, with 82 guns and 478 men. The Spaniards having approached under British colours, the Columbians were deceived, and had no alternative but to fight or surrender. They behaved with determined bravery. Daniels, the commodore, was severely wounded, and his vessel did not surrender till on the point of sinking. The Spaniards were victorious, and succeeded in capturing two vessels, the Carabobo and the Maria Francisca. The Columbians had 161 killed and 21 wounded; the Spaniards, 83 killed and 49 wounded. This success enabled the latter to throw supplies into Porto Cabello.

This was followed by a disaster of inferior consequence, sustained by Padilla, who, on forcing the entrance of the Bar of Maracaybo with a flotilla of twelve sail, lost three of his vessels. Maracaybo, however, was still closely watched; and as Padilla at last obtained the command of the lagoons, and the Royalist troops had re-occupied the adjacent country, the occasion of their absence was seized to harass the city, and even to take temporary possession of it. Padilla held it during the 16th, the 17th, and the 18th of June, but abandoned it on the 19th, in consequence of the approach of Morales.

On the 24th of July, Morales made a desperate but unsuccessful effort to regain possession of the lake of Maracaybo. For this purpose he manned a number of small craft with the crews of a frigate and sloop of war, and, assisted by forces from the coast, attempted to surprise Padilla. The

arrive in these ports from Europe in the space of four months, a time sufficient to allow this resolution to be known on that continent, and of forty days from Havannah or any other Spanish port of North America.

4. "That all vessels arriving after the expiration of those periods will be treated according to the laws of war, (if before it be not terminated), as will be from this moment all armed vessels.

5. "That after the period of four months, the productions of the Spanish soil will not be admitted to an entry under any flag whatever.

"By order of his Serene Highness,
"Francisco Jose Bernal."

"Mexico, Oct. 1, 1823."

result, however, proved most favourable for the independents; Padilla took eleven of Morales' vessels; and two were blown up.

In August, Maracaybo was finally re-captured by the Columbians; all the Spanish vessels of war in the lake were delivered up to them: and Morales with the forces under his command, in virtue of a convention by which he and they were not to serve in future against Columbia unless exchanged, sailed for Cuba; thus abandoning on honourable terms that territory in which he had so long upheld the cause of Spain with a seal and gallantry, which no Spaniard at home exerted for the freedom of his native land.

Preparations were forthwith made, by the independents, to prosecute actively the siege of Porto Cabello. The Colombian squadron had received such reinforcements, that it no longer feared any naval armament which the enemy could muster in those seas. To co-operate with it, the flotilla proceeded from Maracaybo, equipped with heavy artillery and mortars, and conveying abundance of all the ammunitions of war. A large land-force was collected at the same time; and on the 22nd of September, the siege was regularly commenced. The garrison were soon in such a situation, that surrender was inevitable, unless they were relieved from without. The commandant of Porto Cabello wrote to the political chief of the Havannah, explaining the distressed state of the fortress, and earnestly soliciting assistance. At the Havannah the documents were ordered to be referred to the commission of finance, with a recommendation to consult with two officers, who were sent by the commandant

of Porto Cabello, on what ought to be done. The subject was afterwards, on the 12th of November, submitted to the consideration of the Consulado Nacional; that body approved a report made by the Syndic on a plan for the relief of the Colombian Gibraltar, which had been proposed by the second in command of the naval force at the Havannah: and a certified copy of this report was ordered to be transmitted to the superintendent-general of finance. But while the authorities of the Havannah were thus proceeding with all the characteristic deliberation of Spaniards, Porto Cabello was taken by assault on the 8th of November; and Spain ceased to hold a single inch of soil within the limits of the Colombian republic.

The successes of the royalists in the beginning of the year, were facilitated by some insurrections of the Indians. In Apure, the disturbances were of so serious a character, that Bolivar deemed it necessary to despatch general Paez to suppress them. The presence of that officer restored tranquillity, which he confirmed by executing twenty-five of the ring-leaders of the insurgents.

That part of Upper Peru, which was comprehended within the limits of the republic, was the scene of a more grave rebellion. Pasto, a town and district of Quito, had been for a considerable time in an unsettled state; and though, in December last, order was fully established under the republican government, a party hostile to the new order of things still existed in this province. The more zealous adherents of this party assembled in some force among the mountains near Pasto, from which they were,

at first, soon driven by the patriots, and forced to withdraw to a considerable distance. Subsequently, however, taking advantage of the march of the Columbian troops for Peru, the rebels, headed by Augustin Agualongo, descended from the mountains, and marched rapidly towards Pasto, which they took on the 12th of June, and completely destroyed the garrison, commanded by colonel Flores. Flushed with this success, they marched upon Ibarra, which they also entered. President Bolivar, who was at Guayaquil when these events took place, returned to Quito, and made arrangements for putting an end to this civil war. He caused the troops in front of the rebels to retire, and drew them into a plain, where, after a gallant resistance, they were surprised and totally defeated. The bulletin of the conquerors, dated at Ibarra, July 18th, and signed by Don Vincente Gonzales, the Adjutant-general of the Columbian army, states, that, when the rebels perceived the hazardous nature of their situation, they endeavoured to cross the river of Ibarra, and to gain a defensible position, but were prevented by the activity of the Columbian cavalry, who charged and broke them three times. Their armed force consisted of 1,500 men, of whom six hundred fell on the field of battle, or near it, and the greater part of the remainder were killed or taken in the pursuit.

The congress of Columbia met on the 17th of April: the session terminated on the 6th of August. During this period they were busily occupied with matters of interior regulation. By one edict, the loan, which M. Zea had contracted in Europe, was declared null, and only so much of the amount acknowledged, as had been actually

furnished to the republic in money or effects.* Another decree, dated

* The following was the decree on this subject:—

“ Art. 1. The Congress disapproves the loan contracted in Paris on the 14th of March, 1822, by the deceased ex-Minister Francisco Antonio Zea, and declares null and void all that he has done relative to the affair, both in the substance of the contract, and in all its clauses.

“ Art. 2 Notwithstanding, the debt incurred (*contrahida*) by that act is recognized, and that which was contracted prior to the 1st of August, 1822, as far as the sum which shall be proved to have been furnished for the republic, in money and effects.

“ Art. 3. For the liquidation of the same, the executive is simply authorized to effect it in the manner in which it may think fit.

“ Art. 4. The executive is also authorized to approve and ratify, either individually, or by the person or persons whom it shall delegate for the purpose, the result of the liquidation; it may call in the obligations, bills, or debentures, put into circulation by the deceased Francisco Antonio Zea, and substitute such as it may deem necessary to the amount of the sum which may be liquidated and approved. The same must be signed by the secretary of state and of finance, or by the person who shall be duly authorized, so that these new bonds or debentures may be admitted as numerical amounts in any new loan that may be decreed; and lastly, it may name arbitrators, judges, and amicable conciliators, in the event of any fresh disagreement arising with the creditors, either in the territory of Colombia, or in any country in Europe.

“ Art. 5. The same executive authority may agree upon the period for the redemption (*amortizacion*) of the sum that shall have been liquidated upon the mortgages with which credit should be preserved, and upon the method of paying the interest, until the consolidation of the national debt, on which subject the congress is now employed.

“ Finally, the executive is authorized to remove all difficulties that may occur in the execution of the present law.

“ House of Representatives in Bogota, June 9, 1823.

(Signed) “DOMINGO CAZARENO,
President.”

July 6, authorized the government to circulate in Europe vales or bonds, secured on the credit of the republic, by way of loan, or other financial operation, to the amount of 30 millions of dollars, to be contracted for either in whole or in parts. These securities were to be signed by the president, and all the revenues of the state in general, and in particular that of tobacco, were charged with the payment of the principal and interest of the loan. To Bolivar there was granted an annual pension of 30,000 dollars, in consideration of his having spent the best years of his life, and the fortune he inherited from his ancestors, in the service of the republic; it was to commence, when he should cease to hold the office of president. A decree conferred on colonel James Hamilton, the exclusive privilege of employing steam-boats to navigate the river Orinoco, from the port of Santo Tomas de Angostura upwards, and all the other rivers which flow into the Orinoco.

A subject, which seemed to occupy a great share of the attention of the government, was, the establishment of schools.* The vice-

* The following returns (extracted from the Gazette of Columbia) of the schools established in some of the provinces, will illustrate the anxiety of the government on this subject.

Province of Bogota.—The following Lancasterian schools are established in the province:—One in the wardship of the cathedral, one in the parish of Las Nieves, one in the college, and one in the convent of San Francisco. The same in the parishes of Usaquen, Cipacon, Cerrezuela, Caqueza, Choachi, Cipaquirá, Ubaté, Nemocon, Cota, Guaduas, and La Vega.

Schools, according to the antient method, are established in the following parishes, viz.:—Fontivon, Boas, Bogota, Bojaca, Eugativa, Facativá, Fo-

president himself attended at the examination of the pupils in some of them.

A treaty of alliance, defensive and offensive, was entered into between Columbia and Chilé. On the 6th of July, a similar treaty with Peru, was concluded in the Ciudad de los Libras de Lima, by Don Joaquin Mosquera, on the part of Columbia, and D. Bernardo Monteagude, on that of Peru, and was ratified at Bogota, on the 12th of the same month, by the Columbian vice-president Santander. It contained a clause expressly providing, that all

meque, Ubaque, Chipaque, Fosca, Une, Choconta, Macheta, Tivirita, Manta, Gacheta, Chipasaque, Guasca, Guatavita, Cogua, Gachancipa, Chia, Tablo, Villeta, Quebradanegra, Chaguani, Fusagasuga, Melgar, Soacha, Cucanuva, Susca, Fuquene.

Province of Neira.—This province has schools on the antient method, as follows:—In the capital of the province, and in the parishes of Guagua, Retiro, Yaguara, Purificación, Plata, Timuna, Gigante, Garzon, Pital.

Province of Mariquita.—There are on the same method schools:—In the capital of the province, the city of Mariquita, Ibaque, Chaparral, Guamo, Piedras, Lapalma, Caparrapi, Pena, Mesa, Vitumia, Anolaima, Rioceco, and San Antonio.

Province of Antioquia.—Schools according to the Lancasterian method are established in the towns of Medellin and Ciudad de Rio-negro, and according to the antient method in the parishes of Belen, Sancristoval, Estrella, Envisgado, Amaga, Titiriví, Atoviejo, Copacabana, Barbosa, Iguanacita, Antioqui, Sopetran, Sanjeronimo, Canasgordas, Sabanalarga, Buritica, Urrao, Sacaolal, Guarne, Sanvicente, Lachapá, Concepcion, Santodomingo, Ceja, Retiro, Pereira, Abejorral, Sonson, Agudás, Sabaletas, Marinilla, Penol, Carmen, Santuario, Baos, Santarrosa, Sampedro, Yarumal, Claras, Donmatias, Zaragoza, Remedios, Yolombo, Cancan, Sambatolome.

the other states of America, formerly Spanish, should be invited and urged by the contracting parties "to enter into the present compact of union, bond, and confederation."

In Peru, San Martin had found it necessary to abdicate the authority which he had assumed. After his withdrawal, the executive power was in the hands of a junta of three persons, of whom general José de la Mar was the chief. Their most urgent concern was, to prosecute the war against the royalists, who still had the complete command of Upper Peru. La Serna, the viceroy, was at Cuzco with 8,500 troops. General Canterac commanded in Arequipa, 4,000 troops. At Juaja there was a force of 2,500, besides 1,000 men under Valdes in the neighbourhood of Canete. In October 1822, an expedition sailed from Lima to attack Canterac. The troops employed in this service, 4,000 in number, and embarked in 40 transports convoyed by a frigate and two sloops of war, consisted of 800 Chilians under general La Cruz, 800 Peruvians under colonel Müller, 1,200 Buenos-Ayrcans, and 1,800 Columbians—the whole under the direction of Alvarado.

The coast of Peru from Pisco, (which was to be the scene of action) southward, is a desert, where no vegetation occurs within 40 and in most parts 80 miles off the coast, except in the small valleys through which the rivers discharge themselves into the sea; and at these places, with the exception of Quiles and Arica, there is no landing. The expedition arrived at different points of the coast in a sickly state; and, though hastened by the want of mules for transportation, and the deficiency

of a supply of provisions, penetrated a short way into the country. Canterac marched to meet them; and, on the 20th of January, the opposing armies came within sight of each other, at a town called Moquegua, something more than 40 leagues from Arica. Dispositions were immediately made for battle, and it commenced with great spirit on both sides. It was maintained with much obstinacy, till the patriots, yielding to superior numbers, or superior skill, gave way; and the royalists obtained a signal victory, not more than 800 or 900 of the vanquished escaping from the scene of this sanguinary contest. The wreck of the independent army arrived at Callao on the 6th of February.

The news of this disaster estranged the minds of the people from the executive authority; and, on the 27th of February, the army declared, that the former chief of the police, Don José de La Riva-Aguero, should be placed in the supreme command as president of the republic. The Congress objected to this change, and about 24 hours elapsed in their resisting it; finally, however, force prevailed; and the army gained their wishes by placing Riva-Aguero in the government, in lieu of the obnoxious junta. No blood was shed. The minister of war and marine was removed at the same time. Shortly afterwards a plot, or a pretended plot, to deliver up the castle of Callao to the royalists was discovered, in consequence of which 50 persons were apprehended and sent to prison, most of whom were old resident Spaniards.

In the mean time, Canterac availed himself of his success, to advance in the month of May to Lima. The independents retorted

ed before him; he entered the capital without resistance, and remained there till the 16th of July, during which time he exacted contributions to the amount of more than 300,000 dollars.

The Congress, when they were forced to quit Lima, withdrew to Callao, where the embarrassments of the country were greatly increased by the discussions which prevailed among the rulers. On the 19th of June, the Congress decreed the removal of the government to Truxillo. On the 22nd, a decree was passed declaring that the functions of Don José de la Riva Agüero, as president of the republic, had ceased; and on the 23rd, by another decree, passports were ordered to be given to him, to enable him to leave the territory of the republic, and retire to a point to be determined on by the supreme military authority. Riva Agüero, however, instead of submitting to these decrees, fled to Truxillo from Callao, accompanied by several members of the Congress, who still adhered to him. His first act was, to deny the constitution and the right of the Congress to control him in any measure which he thought conducive to the welfare of Peru. He afterwards issued an order or decree dissolving the assembly, and then formed a senate of 12, of his own choosing, at whose head he placed himself. He and all his followers were declared traitors to the state: but instead of returning to obedience, he assembled troops for the avowed purpose of marching upon Lima.

In this state of distraction, the congress appointed general Don José Antonio Supe, supreme military chief, limiting the political authority of the executive to pro-

vinces neither directly nor indirectly by the theatre of military operations. The departments of the north being afterwards (on the 18th of July) called upon to supply resources for the war, his political authority was completely superseded, and the whole power was vested in the grand marshal Don José Bernardo Tagle.

The temporary success of the Spaniards had produced one favourable effect—that it had excited the governments both of Columbia and Chile, to exert themselves to the utmost in sending reinforcements to those, with whose cause their own was inseparably connected. The Peruvians themselves were not inactive; and they again became the assailants. Canterac, on his retreat, was much harassed in passing the mountains; and was encountered, in the beginning of September, by the Columbian forces commanded by general Supe, when an action ensued, which ended in the total defeat of the royalists. A second affair took place at La Paz, a large and strong town in the interior of Peru, occupied by a division of the royalist troops, who were driven from that post by a detachment of the Peruvians commanded by general Santa Cruz, and compelled, with the remnant of the army of Canterac, to retire upon Potosí. Some other military operations took place in that month, of which very different accounts were given by the opposite parties. The Spanish generals asserted, that the whole of the army of general Santa Cruz, 6,000 strong, dispersed before a very inferior force, without fighting; that Santa Cruz fled with a few cavalry; and that the royalists took 1,500 prisoners, 400 standards, and all the artillery,

anarism, and bludge, of the constitutionalists. On the other hand, the statement of the patriots was, that Santa Cruz, having occupied too great an extent of country, received orders from general Sucre to retire upon Arequipa, for the purpose of forming a junction with the main body of the independent army, and that general Gamarra was at the same time directed to fall back upon Moquegua. In executing these orders, occasional skirmishes took place with the enemy, in which both sides sustained some loss. The army of Santa Cruz was, however, accompanied by a number of negroes, who, having no shoes, were unable to march along the difficult roads, through which the retreat was conducted. These men and some raw recruits, raised at La Paz, dispersed, and some were taken, and others killed: and on this trifling circumstance the royalists were said to have founded the account of the total defeat of Santa Cruz.

On the 1st of September, Bolivar arrived at Callao, and on the same day, hastened to the capital, where he was received with rapturous extacies of applause. On the following day, the sovereign constituent Congress passed a decree, appointing him to the office of terminating the difficulties consequent on the existence of the government of Riva-Aguero, in a part of the republic, since June 28; and conferring upon him the necessary powers for the accomplishment of that enterprise.

Another decree conferred upon him, under the name of "Deliverer," first, the supreme military authority; second, directorial political authority as connected with the affairs of war; and thirdly, the honour of Liberator or Deli-

verer in all the territory of the republic.*

On the 10th, Bolivar presented himself in the National Congress, and, addressed to that body, a speech of thanks for the confidence which they had reposed in him. "The soldiers" said he, "who had come from the Plate, the Maule, the Magdalena, and the Orinoco, as the deliverers of Peru, would not return to their native country, till they were covered with laurels—till they could pass under triumphal arches, nor till they could carry off as trophies the standards of Castile. They will conquer and leave Peru free, or they will die. This I promise."

He immediately proceeded to the exercise of the authorities with which he was invested: but his first act was not very palatable to the people; for it consisted in levying a contribution of a hundred thousand dollars, which was quickly followed by a seizure of all the horses and mules. The auxiliary troops from Chile and Columbia had arrived. When the whole Independent force was assembled, it was expected that it would amount to upwards of eighteen thousand men. The royalists could not muster in Upper Peru, more than twelve thousand: so that a speedy termination to this pro-

* The preamble to these decrees runs thus: "Desirous of avoiding by all the means which prudence dictates, the evils produced by civil discord, especially when there are foreign enemies to combat, and having the highest confidence in the liberating President of Columbia, Simon Bolivar, whose protection the sovereign authority has solicited as the only means of consolidating the national liberties since the last aggression of the Spaniards, the sovereign constituent Congress has decreed as follows."

tracted struggle, was at length anticipated.

One obstacle alone diverted the efforts of Bolivar from being directed exclusively against the Spaniards. Riva-Aguero was still at Truxillo, claiming the supreme power, exercising it within a certain district, and threatening hostilities with a considerable force. Bolivar, upon his first arrival in Lima, had written to this man in very friendly terms, to induce him to desist from his career of hostility and usurpation, and offering him his mediation and friendship in bringing matters to a final accommodation.* This letter having

* The following was the letter written by Bolivar on this occasion :

To Sen. Don Jose Riva Aguero.

Lima, 4th Sept., 1823.

"My dear Friend,—It is with infinite pain that I have to address you on a matter the most unpleasant, and at the same time the most momentous which can occur in the life of a public character.

"It is unnecessary at this period to enter into an investigation of the cause of difference between yourself and the Congress, or even to analyze the character of it. The fact is, you are now at open war with the national representation of your country. This representative assembly was convoked by the founder of its liberty, and has been acknowledged by the public authorities and people of Peru. You yourself owed your elevation to the presidency to this assembly. It is therefore beyond all doubt, that the authority of a body elected by the nation can never be annulled by any individual of whatever rank he may be; and much less by you, who was one of the principal agents in the establishment of popular representation, and to which, as president, you have solemnly taken the oath of obedience. In fact, my friend, the principle, I believe, does not admit of discussion: let us see what will be the result of a line of conduct in opposition to it.

"Bonaparte in Europe, and Iturbide in America, were the most extraor-

produced no effect, a second application for an amicable arrangement was made to him in October. The second attempt was equally ineffectual with the former: so that active warfare was the only alternative. In November, Bolivar embarked his troops, in conjunction with the Chilean force under general Sucre; and landed in the vicinity of Truxillo. The cavalry of the rebels immediately revolted; and Riva-Aguero and his principal officers were taken prisoners, almost without resistance.

The change of administration in Chile, which commenced towards the end of 1822, was completed in

ordinary men, each in his sphere, which modern history presents to the world. Although benefactors of their country, and promoters of its national independence, they have been unable to escape ruin merely on account of their political sacrilege in profaning the temple of the laws and the sanctuary of social rights. You to this have added the most scandalous outrage on the persons of your ministers. I think you cannot be insensible to the united clamours of indignation excited amongst all classes of men at what took place in Truxillo, and which believe me, is the blackest stain that has sullied the revolution of America; consequently you can expect nothing but maledictions in this country, and disapprobation in Europe. I, notwithstanding, make you a tender of my friendship, and offer you all the protection which my situation can afford. If you are inclined to accept my good offices, colonel Urdaneta and Mr. Galdeano are authorized to accommodate matters with you, as well as with those who are acting under you in this horrible affair.

"The ruin of Peru is inevitable, should the acceptance of these generous offers be delayed; by your refusing them, you can expect nothing but the slavery of your country, and your execration by every American. Public opinion will be so decidedly expressed against you, that not even in your own conscience will you be able to find an asylum. That you or your partisans can ever rule in

the present year. Rodrigues, the minister of finance, and the most active of the individuals who were concerned in the government under O'Higgins as supreme director, had lately caused the duties on importation to be raised, and new Custom-house regulations to be introduced. These produced universal discontent among the merchants, and lent strength to the sentiments of dissatisfaction with the existing possessors of power, which had long been on the increase. Amid the financial difficulties of the country, the pay and supplies necessary for the troops had not been regularly furnished: and the military force, which was stationed under general Freyre in the district of Concepcion, had been for some time abandoned to the resources of the province without any aid from the general government. These troops, with their commander at their head, declared their dissatisfaction with the authorities at St. Jago; and the provinces of Concepcion

Lima, is out of the question. One and all of us will become the avengers of Peru; nor, if the enemy again subjects your country to the Spanish yoke, can you, even in this case, obtain what you aspire after. Finally, reassured, that no propitious fortune can alter the principles of natural order which you have trampled upon, and this affair will prove a source of remorse which will accompany you to the grave.

"Have the goodness, my dear friend, to pardon the frankness of my exposition. Having been actuated by no unworthy personal motive, but constituted the head of an independent state, I could not, without failing in my duty, remain silent on the subject of your conduct, which, at the present unhappy period, may produce incalculable mischief to America. On the other hand, I cannot forget what you have done for America, and particularly for Peru, of whose relief you were the saviour.

"BOLIVAR."

and Coquimbo made common cause with them. Rodrigues was the principal object of their displeasure; and O'Higgins, whose respectability of character was admitted by all, was at first excepted from their declared enmity. As the head of the existing government, however, it was his duty to resist the insurgents; and in January, he began to assemble troops on the northern bank of the Maule to stop their progress and overawe their proceedings. He was then included in their denunciations; the public opinion was with them: both he and Rodrigues resigned; and the executive authority was placed in the hands of a junta of three persons.

General Freyre continued his march towards St. Jago; and on the 15th of February, encamped within three leagues of it. There the municipality and principal inhabitants of the city paid him congratulatory visits, and welcomed his approach. It was intimated to him by the provisional government, that they were willing to resign in his favour; but general Freyre refused the honour, replying that he came not to assume the reins of government, but to see it established on a solid basis; that, his only object being the welfare of his country, he would perform his duty, in protecting the rights and liberties of his countrymen, and assisting in the removal of the abuses which had crept into the former administration. It was only after being solicited by repeated deputations, that he consented, on the 22nd, to march into the capital at the head of his troops, which had lately been joined by 500 cavalry from Concepcion. On the 28th, a meeting took place at the government-house, in which

general Freyre acknowledged the provisional government, as competent to act until the assembling of congress. In March, three provisional assemblies met, to regulate the mode of electing deputies from the different provinces to the congress. It was determined that the election should be popular, and on the scale of one deputy for every 15,000 inhabitants.

The provinces were not satisfied with a junta elected without their concurrence in St. Jago, and composed exclusively of inhabitants of that city. It was therefore held expedient to place the executive power in a single hand: and, on the 3rd of April, Freyre was installed in the office of director by plenipotentiaries from the provisional assemblies.

During the remainder of the year, the Chilian government was chiefly occupied with making the requisite preparations for assisting Peru to expel the Spaniards. To this purpose was devoted a considerable part of the proceeds of the loan, which had been raised in England in the preceding year.

Buenos Ayres continued to prosper under the administration of Rivadavia. So prosperous was the state of the finances, that the revenue for the first six months of the current year exceeded the expenses by several hundred thousand dollars. The interior of the country was still occasionally disturbed by armed bands, who annoyed and sometimes plundered the unprotected inhabitants of the plains. The privilege which the military had enjoyed of not being amenable to the civil courts of justice, was abolished, and all citizens, without exception, were declared subject to one and the same law. The government was much dissatisfied with the pro-

ceedings of their neighbour, the emperor of Brazil, who was endeavouring to annex to his dominions Monte Video, together with the Banda Oriental (the east side of the river Plate); though Buenos Ayres had always claimed that fortress and that province as part of her confederate territory. In order to arrange the dispute, a plenipotentiary was sent from Buenos Ayres to Rio de Janeiro.

On the 4th of July, a preliminary convention was signed by Pereyra and Robla commissioners from Spain on the one part, and Rivadavia on the other, by which hostilities between the mother country and her colonies were suspended, and the basis was laid for a permanent peace. By a law of the same date, the executive was invested with power, upon the conclusion of a definitive treaty founded on that convention, to negotiate with the other independent states of South America for voting to Spain, in order to assist her in the struggle with France, the same sum which the French chambers had granted for carrying on the war against her. This plan, if matured, might have had the happiest results by connecting the recognition of the independence of the colonies with the recollection of benefits received by the parent state. Unfortunately, the course of events in Spain rendered all these schemes abortive.

In August, a slight misunderstanding on a point of etiquette occurred between the government of Buenos Ayres and captain Willis, of the Brazen sloop of war, which was stationed in the river Plate. It had been the practice of English men of war lying in the outer roads of Buenos Ayres, to board all English vessels bound in-

wards; but the government had lately stationed a gun-brig in the outer roads, with orders to board all vessels entering, before any boat from the English sloop of war should visit them. Accordingly, a boat being sent from the Brazen, to board an inward bound ship, it was fired on by the gun-boat. Captain Willis demanded an apology from the government, which was refused, and a correspondence ensued between him and Rivadavia, in which it must be confessed the advantage in respect of good sense and moderation was not on the side of our countryman. At last, the latter was ordered on board his ship within two hours. With this order he complied, but declared his determination to prevent all English vessels from entering, and proceeded immediately to act on that determination. On the despatches with this intelligence reaching Rio de Janeiro, sir T. Hardy immediately sailed for the river Plate. Upon his arrival there, the governor of Buenos Ayres, through a person deputed for that purpose, solicited some expression of opinion on his part with regard to the correspondence which had taken place between them and captain Willis; but he replied, that as the affair had already been referred to the British government, he saw no necessity

for his interference. On questioning the messenger what sort of reception he himself might expect if he paid a visit to Buenos Ayres, sir Thomas Hardy was informed that the members of the government were most anxious for that honour, and that he might depend on every act of courtesy and attention which it was in their power to offer him. While the admiral remained there, the utmost harmony existed between him and the native authorities; so that all the apprehensions were effaced, which had been excited by the dispute with captain Willis.

Hayti continued tranquil. To remove the alarms which some entertained with respect to the danger which might arise to the European West-Indian colonies from intercourse with a free negro state, the president Boyer, on the 20th of March, issued a proclamation forbidding Haytian vessels to anchor or touch at any of the neighbouring islands.

Porto Rico renewed its declaration of independence, after the news arrived of Ferdinand's departure from Cadiz. The project of the adventurers, who had established themselves there towards the end of the former year under the style of a new republic, was suppressed; and some of the participators in it were executed.

CHRONICLE.

CHRONICLE.

JANUARY.

THE following is the official statement of the quantity of wine exported from Oporto during the year 1822, viz.—To England and its dependencies, 27,535 pipes; Hamburg, 111; Holland, 37; South America, 20; Denmark, 19; Sweden, 16; Leghorn, 6; Trieste, 3; Genoa, 2; Russia, 1; France, 1.

FOREIGN STOCK EXCHANGE.—A room was opened in Capel-court, closely adjoining the Stock Exchange, for effecting transactions in the foreign securities, which had been previously conducted openly on the Royal Exchange.

WILD WOMAN.—A wild woman was lately found in Spain, in the Sierra de Montero, a desolate and rude range of mountains in the south. She had been seen occasionally by the goat-herds, as they wandered through the mountains. The tale at length reached Cordova, and the authorities sent officers in pursuit of her, who succeeded in apprehending her, and lodged her in one of the public hospitals of that city. She was not altogether destitute of understanding, nor ignorant of language, as she could say a few words, such as *pepa* (papa), *gato* (a cat), *campo* (the country), and some few others. When she was asked, if she would like to return to the country, she nodded her head in the affirmative. She eat whatever was given to her, but preferred un-

cooked meats and vegetables. At first, cooked victuals did not agree with her, and made her sick; she eat with an extraordinary appetite; her clothes appeared as if they were placed on a stick; her arms were tied, because she was always tearing her shoes, in spite of every care that was taken to prevent her. Sometimes she threw off all her garments, and ran out quite naked. She has been found, after an interval of two days, coiled up in a place full of mire; and at another time she has been discovered in the dunghill of the stable. She was about sixteen years old, of a short stature, a deep brown colour, protruding lips, and so rough as in appearance almost to resemble a wolf. She slept by day as well as by night, without any regularity, and generally coiled up. Sometimes her sleep continued for twenty-eight hours successively, either in bed or on the ground, with or without covering. She kept her eyes mostly closed, and when she was alone, she would cry for three hours together, and for the next three hours would laugh. The duke de Riva, the constitutional alcalde of Cordova, took a great deal of trouble to find out the origin of this female; but it baffled all his inquiries. It was supposed that she belonged to parents not less wild than herself, who were still undiscovered in the mountains.

FRENCH MARRIAGES.—The following advertisement appeared lately in the *Petites Affiches* of
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Paris:—"Marriages—Are offered,

1. Three young ladies, aged from 20 to 25, with 1,500 francs portion. 2. Four young ladies, from 18 to 24, with 4,000 francs ditto. 3. Two young ladies, from 28 to 38, with 8,000 francs ditto, and 20,000 more in expectation. 4. Two young ladies, from 17 to 18, with whom can be guaranteed from 60,000 to 80,000 francs. 5. Two young ladies from 18 to 19, with 20,000 francs. 6. Two widows, from 45 to 50, with incomes of 2,400 and 3,000 francs. Address to M. Adolphe, rue Feydeau. (His office is open on Sunday.)"

2. EXECUTION.—Robert Hartley was executed on Penenden-heath, near Maidstone, for wilfully stabbing captain Owen, of the Bellerophon convict ship, lying at Sheerness, on the 29th of August last.

From the time of his condemnation till the evening before his execution, the unhappy man behaved in the most hardened and impenitent manner; stating his disbelief of a future existence, and disregarding the exhortations of the chaplain to the gaol. He was wont to speak of his many offences with exultation, and confessed upwards of 200 burglaries and robberies committed by him from the age of ten years to the present time. On Sunday last, one of the turnkeys asked him if he was not cold; he said, "No; but I shall be a d—d sight colder this night week, or else hotter, I don't know which yet, but I will come back and let you know." On Monday he said, "If I was to be set at liberty to-night, I should do something before morning to get in again." On Wednesday he requested one of the turnkeys to go for the surgeon of the gaol, saying, he wished to sell his body, for he

was sure the resurrection-men would stick a knife into him. In the evening, he, for the first time, joined in prayer, and consented to receive the sacrament in the morning. The chaplain visited him again at eight o'clock on Thursday morning, when he said he had slept very well till about three o'clock, from which time he was much harassed with shocking dreams. He received the sacrament, and appeared much affected; but, upon being asked, whether, if he was discharged, he should lead an honest life, he replied, "No, he should go on the same way again." About ten minutes before he left the gaol, he requested to see Oliver and Lewis, two prisoners left for execution for a burglary at Charlton, but who had received a respite during his majesty's pleasure. The two unhappy men, upon seeing Hartley, shook hands with him. They were greatly distressed, shed tears, and ejaculated a short prayer to the Almighty to have mercy upon their fellow-sufferer. Hartley said, "Don't fret, mates; there's nothing the matter;" and after taking leave of them, said, in a firm voice—"I am ready now." At ten minutes after 11 o'clock, the gates at the entrance of the gaol were thrown open, and the culprit appeared seated in a waggon, guarded by the usual attendants. He held in his hand a prayer-book. On his way to the heath he repeatedly bowed to persons in the crowd, and shook hands with two or three near the gaol. On coming to the brow of the heath, where the gallows first appeared in view, he looked towards it, and smiled; on arriving at the spot, the chaplain read a very impressive prayer, to which the unhappy man appeared to pay great

attention; at the conclusion, he ascended the scaffold, and in a firm voice said, "I beg you will excuse all imperfections in my speech: I hope you will all take warning by my fate; there are many persons in this assembled multitude whose faces I very well know, and who, I am afraid, if they do not alter their wicked course of life, will be summoned to appear before God with all their sins upon them; in whose presence I shall shortly be. There are many of you that may not perhaps be guilty of all crimes—you may not lie nor swear, but you have been guilty of many offences, for which you deserve to die in the manner I am about to do now." He stopped short, his feelings appeared to overcome him, and after a pause he said, "I must beg pardon, I cannot go any farther." He then turned to the executioner, and whilst he was putting the rope round the beam, said, "Do not be long about it—let me feel what drop you have given me." He then leaned forwards to try the length of the rope, and said, "That will do—the knot is too much under my jaw." The executioner moved it towards his chin; when he said, "It is now too much under my chin." When the rope was adjusted, he said, "Put on the cap now." When drawn over his face, he said, "Let me draw it off my mouth." When he had removed the cap, he said with a loud voice—"Lord Jesus, into thy hands I commit my spirit—pray let this be a warning to you all—I wish you all a happy new year:"—he was then launched into eternity; he was much convulsed, and struggled for 10 minutes after the drop fell.

2. DUBLIN. — CONSPIRACY AGAINST THE LORD LIEUTENANT. *Dublin Commission.*—About half-

past two o'clock it was announced to the Court, that the grand jury of the city of Dublin, after two days close inquiry, had, in effect, ignored all the bills against the persons accused of the riot in the theatre. There were two bills—one for a conspiracy to riot, and the other for a simple riot. The first was ignored. The bills were found against two for a riot. But two cannot constitute a riot: so the effect was, a dismissal of the bills.

On the bills coming down from the grand jury, the attorney-general addressed the Court as follows:—

My Lords;—Upon a case the most interesting that ever occurred in this country, two bills of indictment have been sent up to the grand jury of the city of Dublin, against five persons: one set of bills charging a conspiracy to cause a riot at the theatre, in which the person of the lord lieutenant was outraged and insulted; the other bills charging a riot generally. Upon the first indictment, the grand jury of the city of Dublin have ignored the bills against all the parties. Upon the second indictment they have found a riot committed, implicating two of the persons in the indictment, Graham and one of the Handwiches. It is needless to observe to the Court, that, according to the technicalities of our law, a riot cannot be committed by only two persons. Had even the bills been found for a riot only against all the parties, I should have then felt it to be my duty to adopt the line of conduct I am about to intimate in the presence of the Court. I will not arrogate to myself the office of arraigning the conduct of the grand jury of the city of Dublin; but I

also have a duty to perform. I will, without anticipating the guilt of any individual, state solemnly in the presence of this crowded audience, that, in all my readings, in all my experience, in all the annals of this unfortunate country, I never did find a case so fully demonstrated of the foulest conspiracy to riot, of so much atrocity as scarcely to be heightened by the aggravation that its avowed object was, to insult and outrage the representative of the king's majesty in the public theatre. The course of conduct that my duty directs me to pursue, will be, in the execution of the prerogative annexed to my office, to file *ex officio* informations, and speedily to bring before the country all the parties charged in these indictments.

The Attorney-General immediately afterwards left the Court.

The Solicitor-General applied to have the indictment against the prisoners, Handwich and Graham, quashed, the grand jury having found bills against these two prisoners only for the riot, which amounted to ignoring the bills altogether.

Mr. Robert Johnston applied for the discharge of Mr. Forbes, stating that he had been committed on a capital charge for a conspiracy to murder, but that the indictments were only for a conspiracy to create a riot, and for a riot, both of which the grand jury had ignored.

The Court observed, that, upon the information which had been before it, facts were charged on oath against Mr. Forbes of the deepest criminality; and although the grand jury had ignored the bills which had been sent up, it did not follow that the attorney-

general might not yet proceed on the capital charge; he had in mercy proceeded only for a riot and conspiracy to riot; but on the finding which had taken place, and had excited so much surprise, he might, if he pleased, have recourse to the other and graver charge. He had also expressed his determination to proceed for the charge of conspiracy to riot, and of riot by *ex-officio* information; and, under these circumstances, the prisoners could not be discharged without his consent, before the period for discharge by proclamation had arrived. Therefore, as the attorney-general was not then in court, the application should stand over until to-morrow, as well as similar applications on the behalf of the other prisoners.

3. This day, about one o'clock, the right hon. the Attorney-General having come into court, stated, that he attended in consequence of a notice given by the prisoners, Forbes, Handwich, and Graham, that an application would be made for their discharge.

Mr. Driscoll (K. C.) having moved for the discharge of Henry Handwich and George Graham; Mr. Robert Johnston (K. C.) for that of James Forbes; and the arguments of these two gentlemen having been followed by addresses in support of them by Mr. Scriven and Mr. Blackburne (K. C.); the Attorney-General said, he should pray the Court to hold them to sufficient bail, until he was enabled to file against them *ex-officio* informations, which should be the first moment the approaching term would permit.

Their lordships having consulted for a short time, Judge Moore said, the Court could have no objection to what the attorney-general

ral had prayed, and therefore should require the prisoners to give good and sufficient bail for their appearance to the *ex-officio* informations to be filed by the attorney-general.

It was then ordered, that Mr. Forbes be bailed, himself in 1,000*l.* and two sureties in 500*l.* each, to abide the result of a criminal information to be filed against him by the attorney-general, in the court of King's-bench, in the next term; and the other five persons respectively, themselves in 200*l.* and two sureties in 100*l.* each, for the same purpose.

Bail was instantly tendered for Mr. Forbes in court; but the attorney-general stated, that twenty-four hours notice must be served on the crown solicitors.

RIBANDISM.—Thomas Hughes, for administering wicked, malicious, and unlawful oaths, on the 1st of January, 1822, was put on his trial.

There were nine counts in the indictment. One of them charged the prisoner with having administered illegal oaths, to compel sundry persons to obey the rules of an illegal commander.

The Attorney-General stated the nature and extent of the illegal society, of which the prisoner was charged with being a member. The objects of that society were, to subvert the constitution, the laws, and the government of the country. "From the evidence," said the attorney-general, "you will learn with surprise and regret, that a set of men are in existence, who have been base enough, foolish and wicked enough, to blaspheme the sacred name of the Creator; wretches daring and impious enough to abuse the great and revered name of the living God, for purposes

so base: you will have proof; that these people have entered into a hellish bond, profaning every thing sacred, and prostituting every thing valuable, for the purpose of making inroads on the solemn reverence due to God, and with the absurd hope of overturning the government of the empire itself."

The Attorney-General produced and read to the Court the sign and pass-word of the conspirators, a copy of which was found in the pocket of a man named David, who was taken up drunk in the streets on the 24th of November.

The charge of administering illegal oaths having been established in evidence, Mr. Justice Burton charged the jury, who returned a verdict of Guilty.

The prisoner was then sentenced to be transported for life.

AGRICULTURAL DISTRESS.—No less than sixteen counties have sent requisitions to their respective sheriffs, to appoint county meetings to consider the causes and remedies of agricultural distress.

A meeting was held at Norwich, which was convened, professedly, "for the purpose of taking into consideration the present state of agricultural distress, and the best means of relieving it." A series of resolutions of a decidedly anti-ministerial temper, were proposed by Mr. Thurtell, and seconded by Mr. Coke, of Holkham; but they were promptly rejected; and a petition proposed by Mr. Cobbett, recommending, in plain terms, the overthrow of the legislature, and the spoliation of the church, was adopted with rapturous acclamation.

6. DUBLIN COMMISSION.—This morning the judges Moore and Burton were on the bench at ten o'clock.

About three o'clock, the grand jury of the city of Dublin came into Court, and the foreman, sir George Whiteford, read from a written paper nearly as follows:—

My Lords,—We have learned with deep regret, that the discharge of our official duties, as to certain bills of indictment, has been made the subject of animadversion by his majesty's attorney-general, and has been pronounced by the authority of this high Court to be a matter of surprise. We hope, that neither the Court, nor, with its sanction, his majesty's principal law officers, intended to convey any intimation, that our judgment has been influenced by fear, by favour, or affection. A charge of such a nature, without adverting to the enormity of the guilt which it would impute, would be essentially unjust; for the oath of secrecy which we have taken, forbids a disclosure, which the vindication of that judgment, and, if necessary, the satisfactory refutation of such a charge, would impose. It must be recollected, that to us exclusively is the evidence known, upon which our judgment was founded; and we therefore trust, that this high Court will receive the declaration, now unanimously and solemnly made by us, that our decision was the result of a laborious investigation of the evidence, a conscientious consideration of its weight, and a sincere desire to adhere to the charge of the learned judge, who so fully detailed to us the nature of our duties, and the nature of the principle upon which we were bound to discharge them.

Mr. Justice Moore.—Gentlemen of the grand jury, the less I now say upon the subject of your communication, perhaps the better. You have stated what you have stated,

from what you say you have heard, and only heard; and not from any thing collected by your own intelligence, or in your own presence. It is a dangerous thing for a public body to act on opinions and on hearings, of the accuracy of which they may not be apprised. Gentlemen, I shall say no more than this, that the attorney-general has, in what has been communicated to you, been (I will not say unjustly) most shamefully misrepresented. In my hearing, or in that of my brother judge, he not only did not cast any imputation upon the grand jury, but expressly guarded himself against any such suspicion. He said, that no man could, or dared to arraign a grand jury for their decision in the exercise of their constitutional privilege—thus, gentlemen, leaving to you all the privileges, which by law belong to you, and which you have a right to claim. The attorney-general had at the same time his privilege, and a right to express his surprise and disappointment, that a body of evidence, which had appeared to him so decisive, should have struck a superior jurisdiction in so very different a way. He had, I say, a right to express such surprise, giving every respect to the conscientious decision of the jury; and having that right, he manfully stated, that his mind could not be satisfied, unless the case underwent discussion before another jury; and he accordingly announced his intention to file an information against the same persons, and bring the matter before a petty jury, where the whole event and circumstances of the case could be considered. You have stated, that the Court expressed surprise. I did say that I was, and I am, surprised. You,

gentlemen, I am sure, have acted according to your consciences: but I did and do express my surprise, after reading the body of evidence, that it was not calculated to obtain the character of veracity from the jury. I also said, in answer to an observation from counsel (and I say so still), that you had no right, by law, to try what constituted a conspiracy, and that your only business was to consider, whether you believed the facts. I said, and say again, that on the sworn informations which I had, there is a full conspiracy shown in point of law, if the facts are believed. I also said, that the grand jury had no right to try the cause, but only to put it into a course of trial. It was in answer to counsel, who asserted that the men were in effect acquitted, that the Court thought itself bound to say, that no man could be acquitted who was not tried. I said, that upon the informations there appeared a manifest conspiracy—prepared circumstances—placards distributed—intentions shown by some parties or other to disturb the public peace. If you had decided, that these facts did not prove a conspiracy, you would have decided a question of law. But if the point of your decision was, that there was not credible evidence of the facts, then I said I had nothing to do with that, and that I must presume that such was the ground of your determination. These were explanations, which I gave to counsel; that is the opinion which I held, and now entertain; and when different language has been attributed to me, it has been either from great misconception, or gross misrepresentation.

∴ The grand jury then withdrew.

The Attorney-General was not in court during this conversation.

13. SHIPWRECK. — The brig *Venus*, from Newfoundland, came into the harbour of St. Helier, this morning, having on board nine men, the surviving part of the crew of the ship *Windermere*, of Liverpool, which foundered in a heavy gale near the coast of Ireland on the 8th instant. The *Windermere* was a fine ship of 367 tons burthen, with a crew of 23 men and boys; she was bound from Old Calabar to Liverpool, laden with palm-oil, ivory, red-wood, and had on board 1,500 dollars in specie. On the 8th of January, at 10 p. m., being in 50 degrees N. latitude, and 14 W. longitude, in the midst of a violent gale, the vessel shipped a heavy sea, which tore the ring-bolts from the deck, carried away the boats, and part of the stanchions, and split the lee gunwale. At eleven o'clock, a tremendous sea struck her again, which hove her on her beam ends, carried away her foremast and bowsprit, and washed the master and eight of the crew overboard. She immediately filled, but the remaining part of the crew having cut away the main and mizen masts, she righted. In a few minutes more, the decks were forced up by the pressure of the water underneath; and the crew, now reduced to fourteen, were obliged to take refuge on the poop. In the course of the night, two more hands were washed overboard, and next day one boy died through excessive cold and fatigue. In this horrid situation, straining every nerve to maintain their hold against the fury of the waves, which threatened every moment to engulf them, the miserable remnant of the crew remained without any sustenance whatever, until the 10th instant,

when at twelve o'clock, the brig *Venus*, of Jersey, hove in sight; and with a praiseworthy humanity, made every effort to rescue the sufferers from their perilous situation. But here another difficulty presented itself; for the *Venus* had lost her boats, and had otherwise been materially injured in the previous gale; the only method, therefore, of escape was by swimming, and the assistance of ropes thrown towards the wreck; by which means, about 3 p. m., nine men at length got on board the *Venus*, two being drowned in the attempt.

15. **MUNICH.**—About eight o'clock in the evening, the New Court Theatre was discovered to be on fire, and in a few minutes the whole of the interior was in flames. The audience happily escaped without injury, and in tolerable order, by means of the numerous outlets. Soon afterwards the roof fell in with a most dreadful crash; and in less than three hours, the whole of this splendid edifice was reduced to ashes.

17. A meeting was held at Hereford, to take into consideration the distresses of agriculturists. Lord Somers presided as lord lieutenant. Three petitions were offered to the meeting; the first, by Mr. Patteshall, was merely practical; the second, proposed by Mr. Charlton, was what might be called a Whig petition; the third was Mr. Cobbett's Norfolk petition. It was moved by its author in person; he was heard with more patience; but he spoke with less success, than at Norwich; and his petition was rejected with unequivocal expressions of contempt. Mr. Patteshall withdrew his petition, and Mr. Charlton's was carried without opposition.

18. **MOCK SUNS.**—At Dabblington, in Ayrshire, about mid-day, four suns were observed in the firmament at one time. An uncommon vivid halo, resembling a rainbow, half circled each of the mock suns, while the natural one was entirely surrounded. The appearance of the whole was extremely beautiful, and exceeded in brilliancy and splendor any thing of a similar nature, which has occurred in the memory of the oldest shepherds in that quarter. This phenomenon, though varied in appearance, was likewise visible in other places of the county.

20. Giles East, aged sixteen years, was executed pursuant to his sentence, on the top of the Lodge of Horsemonger-lane Gaol.

This unfortunate boy was convicted at the late Kingston assizes, of a rape upon the person of a child named Porter.

A woman, named Sarah Porter, who was the mother of the child, was charged in the same indictment as being accessory after the fact. This woman had cohabited regularly with the unfortunate victim of her seduction—she being forty-five, he but sixteen. On the trial, it appeared that she had concealed the circumstance, which had been communicated to her on the ensuing morning by her daughter; and it was also stated by the child herself, that this mother cried over her, when she related to her the treatment she had experienced from Giles East.

The learned judge (baron Graham) in charging the jury, dwelt on this latter fact, inferring from it the improbability of the mother having been accessory to the crime. She was Acquitted.

21. A meeting of the inhabitants of the county of Somerset

was held in the town of Wells, to take into consideration the propriety of petitioning parliament on the subject of agricultural distress. Sir Thomas Lethbridge, Mr. Dickinson, and a number of persons of consideration were present. Mr. Hunt, who had previously addressed a letter to the inhabitants of the county, proposed a series of resolutions, recommending parliamentary reform; but the sheriff, considering that the object of the meeting was not for reform, refused to put them. Upon an understanding that the high sheriff would call a meeting for reform on the Tuesday following, Mr. Hunt abandoned that subject, and his other resolutions were carried. The high sheriff, however, refused to sign them on behalf of the meeting.

22. A meeting on the subject of parliamentary reform was held at York. The speakers were Lord Milton and Mr. Petre, who declared themselves recent converts to the principles of reform; Mr. W. Fawkes, who proposed the resolutions; and Mr. Stuart Wortley, who opposed the professed object of the meeting. Mr. Fawkes's resolutions, and a petition grounded on them, were carried.

MR. CANNING'S LETTER OF RESIGNATION TO THE FREEMEN OF LIVERPOOL.

Foreign Office, Jan. 23, 1823.

"Gentlemen;—Four months experience of the occupations of the department, which the king has been graciously pleased to confide to me, combined with the anticipation of that increased pressure which the approaching session of parliament will bring with it, forces upon me the reluctant con-

viction, that I should no longer be able to give to the important duties of a representative of Liverpool, that degree of attention which would satisfy your just claims, and my own conscientious estimate of them.

"After much hesitation, and with a feeling of deep regret (for which I know you will give me credit), I have thought it right to declare this conviction to you plainly and openly. It is far better both for you and for me, that the failure, which I apprehend as too probable, should be prevented than remedied.

"I surrender into your hands, therefore, a charge, which, during the ten years that I have had the honour to hold it, I may presume to say I have fulfilled with earnestness and fidelity; but in which I am nevertheless fully aware, how much my endeavours have been aided by your encouragement; how many of my omissions have been overlooked by your indulgence; and how greatly my services (such as they were) have been overpaid by the repeated and increasing manifestations of your regard and good opinion.

"You will not, I hope, find it difficult to provide a successor better qualified to serve you. Whoever may be the object of your choice, he may depend upon my co-operation on any occasion on which I can properly and usefully aid him; and you may be assured of the pleasure with which I shall avail myself of every such opportunity, to testify my grateful remembrance of a connexion, which has been the pride of my public life, and which nothing could have induced me, during the continuance of my public life, to relinquish, except a sense of duty that

forbids me to retain a trust, of which I cannot adequately discharge the obligations.

"I have the honour to be, with the sincerest gratitude, respect, and attachment, gentlemen, your obliged and faithful servant,

"GEORGE CANNING."

25. COURT OF SESSION.—*FIRST DIVISION.*—*Declarator of Marriage.*—*M'Gregor v. Black M'Neil or Jolly.*—The circumstances, out of which the action originated, are shortly these:—The defendant is a natural daughter of the late Dr. M'Neil of Stevenston. She resided with her mother till about eight or nine years ago; when, in consequence of her mother's death, she went home to her father, whose infirm state of health required unremitting attention. She continued to live with him down to his death in May, 1817. The pursuer (plaintiff) became early acquainted with the defendant; and having been introduced to her father, he was occasionally employed by him in the management of his affairs, and became a sort of inmate in the house. Being sometimes useful to the old gentleman in various ways, he gradually acquired his confidence; and, in the year 1816, he was intrusted to carry instructions to Dr. M'Neil's agent, relative to the preparation of a settlement in the defendant's favour. By that deed the doctor settled upon her the whole of his property, real and personal, yielding an annual income of 1,000*l.* This unexpected acquisition removing every stain which illegitimacy attached to the defendant, the pursuer suddenly felt a violent affection for her person as the means of acquiring the command of her property. His addresses, however, were rejected, as the de-

fendant had plighted her faith to Mr. Jolly, a surgeon, her present husband. He was not easily checked, however, and in May, 1816, he renewed his pretensions with increased ardour. Again he was repulsed; but this second defeat had the effect, not of repressing, but of irritating him, and of making him more resolute in the accomplishment of his object. He very soon showed, that he had no scruple about resorting to any means that might serve him; for, on the evening of the 23rd of May, after Dr. M'Neil had gone to bed, he came to the house, and begged her to accompany him to her father's agent, with whom he said he had business to transact. The defendant consented to go. When they reached Edinburgh, it was late, and the pursuer pretended, that the agent would not receive them at such an hour. Under pretence of going to a house where they might get some refreshment, he carried the defendant to Car-rubber's-close, and having got her to the foot of the stair, where Mr. Robertson, of the Leith Wynd chapel, lived, he insisted that she should go to Robertson's house with him. Upon her expressing anger at this attempt, he spoke to her in such passionate and desperate language, as to intimidate her into a compliance with his request. Up, then, they went; and Mr. Robertson, on being shown a certificate of the proclamation of bans, performed the marriage ceremony in the presence of his wife and daughter. After the union, the pursuer accompanied his trembling spouse to her father's house, about a mile distant, where he passed the night; but whether he reposed in the nuptial bed or not, was not fully brought out

is evidence. It was positively maintained by the defendant, that he did not insist on the privileges of a husband.

Notwithstanding this transaction, Mr. Jolly continued his addresses, and in two or three weeks thereafter, the defendant and Mr. Jolly were married by one of the ministers of Leith, with the usual formality and solemnity. The pursuer knew of the marriage, but offered no interruption. He accepted gloves on the occasion, was present at the wedding feast, and visited the pair at divers times. Things went on harmoniously enough between the two husbands, until the death of Dr. M'Neil determined the pursuer to revive his rights; and in order to render them effectual, he raised an action of declaration of marriage before the Consistorial Court at Edinburgh, calling Mrs. Jolly as defendant; narrating, that, "in the month of May, 1816, the parties were regularly married by the rev. Joseph Robertson, minister of the chapel in Leith Wynd: notwithstanding of all which, the said Mary Black, or Mary Blach M'Neil, casting off the fear of God, and forgetting her natural and Christian duty, and promise made at her entering into said marriage with the pursuer, now refuses to acknowledge her marriage, or to cohabit with him as her husband."

The defendant, in replying to this libel, denied, that any thing had occurred, which could be held to constitute a marriage; that she had been entrapped by deceit to accompany the pursuer to Robertson's stair—that there he had menaced her with violent and threatening language; that, frightened into compliance, she

was led, almost insensible, into Mr. Robertson's house, who, on receiving a bribe, hurried over the marriage ceremony, without asking her a question, without any exhortation, without ascertaining that her appearance was free and unforced, and without receiving any expression or indication of consent—that no *concubitus* had followed—and that the pursuer, by his own acts, had virtually acknowledged her marriage with Jolly.

After a keen and animated discussion in the Commissary Court, their lordships repudiated the second marriage, and found that the pursuer, M'Gregor, was the lawful husband of the defendant. Against this judgment an appeal was taken to the court of session; the merits of which were discussed to-day in the first division of the Inner House.

Lord Hermand said, that the circumstantial evidence for the pursuer had entirely failed; and he had now recourse to the abstract point of law, grounded on the mummery of a celebration. The question, then, is, was there any marriage? Was there a true and genuine consent? Did the defender agree to accept of the pursuer as her husband? He thought, these points could not be established by the mock celebration at Robertson's. It took place at an untimely hour of the night; no respectable witness was present; and the ceremony was hurried over in an indecent and scandalous manner by a professed manufacturer of marriages, who had since been banished for his illegal practices. The defender did not consent to these violent proceedings. She was intimidated to go to Robertson's house by the pursuer's menaces of assassinating Mr. Jolly,

said threatening to destroy her father's settlements, which were in his possession. Could it be said, that there was here a fair and deliberate consent to marry, especially when, the parties having returned to Dr. M'Neil's house, the pursuer, instead of demanding the privileges of a husband, slunk into his solitary bed, like a menial servant of the family, and allowed his spouse to pine alone on the nuptial couch? The pursuer's subsequent conduct was totally at variance with the idea of marriage. He knew of Jolly's marriage, accepted of gloves, and was present at numerous parties with the defender, where he drank to her as Mrs. Jolly.

Lord Balgray concurred in opinion with lord Hermand. He said that by the law of Scotland, *consensus, non concubitus, facit matrimonium*; that the consent must be genuine and deliberate, whether the marriage took place in *facie ecclesiæ*, or otherwise. The ceremony was a mere civil order introduced by positive law, and did not infringe on this essential requisite. The consent, too, must be mutual, and exchanged without force or fraud. Were these principles borne out by the facts of the present case? Besides, there was no regular proclamation of bans. The certificate presented to Robertson was dated 21st May, and the marriage took place on the 29rd. The dictum of the law was, that the bans should be proclaimed in the parishes where the parties reside, three consecutive Sundays. This was not done here—two days only intervened between the granting of the certificate and the marriage. It was for the want of regular proclamation, that he viewed the marriage as clandestine, and as on that account subject to

all the exceptions, which the law permits against that mode of union. One of these exceptions was, that it was requisite for the pursuer to have proved directly and unequivocally, that the defender said to him, "I accept of you as my husband."

Lord Gillies was clearly of opinion, that the marriage between the pursuer and defender was regular, and must be sustained. If the contrary doctrine were to be held, the marriages, which had taken place in Scotland for half a century, might be annulled. The clergy had deviated from the rigour of the law in performing the ceremony without inquiring into the actual proclamation of bans; yet no one had said, that this relaxation destroyed the efficacy of the nuptial benedictions; and for a very good reason, because the ceremony itself was only meant to express the consent of the contracting parties. Here the persons were of mature age—the defender was 26 years of age, and the pursuer somewhat older. Both knew what they were about; still no objection was made. The defender, as appears from the proof, expressed not one word of dissent. He must interpret this conduct to be indicative of a serious intention and a deliberate purpose. It therefore appeared to him, that the actual celebration without objection, validated the marriage. He would however decline giving any final opinion, until the commissaries had brought forward every person, whose testimony might throw light on this extraordinary cause.

Lord Succoth and the Lord President concurred in the views of lord Gillies.

The decision of the Court was, to remit back the whole cause to

the commissaries, with instructions to adduce further proof on the various parts of the case.

28. PARIS TRIBUNAL OF CORRECTIONAL POLICE.—This was the day fixed for hearing the cause of the duke of San Lorenzo against Messrs. Ouvrard and Rougemont, on the subject of the projected loan in favour of the regency of Spain. M. Bellot, as soon as the cause was called, presented a requisition expressed in these terms:—

“Messieurs—The citation, which you have heard read at a preceding hearing, informed you, that the Sieurs d'Ouvrard and Rougemont had been cited before this tribunal, for being guilty of an outrage towards the person of his majesty the king of Spain, by publishing a prospectus announcing the opening of a loan for the regency of Urgel.

“This process, gentlemen, calls upon you to judge of questions, which, if not of difficult solution, are at least of great importance. Independently of the scheme which Messieurs d'Ouvrard and Rougemont have announced in the journals, you will have to examine, whether the law of 1819 does not require that outrages against the persons of sovereigns should be prosecuted only at the request of sovereigns; and, in consequence, whether the duke of San Lorenzo ought not to produce an especial authority from his majesty, Ferdinand VII, himself.

“In fact, the question to be decided is, whether to publish the existence of a regency which declares itself established during the captivity of the king of Spain, is an outrage against a captive king; or on the supposition of injury, whether it is not rather committed against subjects, who hold their king in captivity.

“However this may be, gentlemen, these questions disappear with the process which has given rise to them. We are informed, and we are authorised to announce to you, that all political relations have ceased between the government of his majesty and that of Madrid. Not only has his majesty Louis XVIII recalled his ambassador from Madrid, but the duke of San Lorenzo has ceased to be accredited to the French government in the quality of ambassador of the king of Spain.

“In the mean time, the process, as you know, was instituted at the request, as it was said, of the king of Spain, and the proceedings originated on the part of his ambassador, the duke of San Lorenzo. At the bottom of this citation it was attested by the minister of foreign affairs, that the duke of San Lorenzo was accredited in this capacity to the French government.

“From what we have now had the honour to announce to the Court, it results, that, since the citation was served, M. de San Lorenzo has lost the quality in which he was then recognized; hence the citation must be considered as of none effect, and it is no longer incumbent upon us to take cognizance of this affair. Under these circumstances, we require that the Court will be pleased to annul the record.”

M. Mauguin said, “It appears to me that the king's advocate takes upon himself a serious responsibility; he has just declared war against Spain.”

The King's Advocate.—“I have announced a fact, because I have in my possession documents which authenticate what we have averred. I shall read to the Court a letter, which I have just re-

ceived from the keeper of the seals:—

"M. the King's Advocate.—I hasten to announce to you, that M. the duke de San Lorenzo has ceased to be recognized in France in the quality of minister plenipotentiary of his Catholic majesty the king of Spain.

"The Keeper of the Seals,

(Signed) "PEYRONNET."

M. Mauguin.—I suppose the king's-advocate conceives his responsibility secure under the signature of the keeper of the seals; but there are present several persons of the embassy, who have no knowledge of the fact, and even this morning the ambassador had not received his passports.

The King's Advocate.—That may be.

M. Mauguin commenced to argue the merits of the question, when he was opposed by the king's advocate, who observed that, after what he had announced on the part of the government, it was for the Court to decide, whether it could proceed with the suit. In this view M. Mauguin concurred.

The Court, after a few minutes' deliberation, gave the following judgment:—

"Inasmuch as it results from the letter of the keeper of the seals to the king's advocate, that the duke of San Lorenzo has ceased to be accredited as ambassador of his Catholic majesty the king of Spain to his majesty the king of France, the Court consequently cannot recognise him in the quality in which he is represented in the indictment. The Court, therefore, declares, that it cannot take cognisance of the suit, and orders it to be erased from the records of the tribunal."

31. COURT OF KING'S BENCH.

INTIMATION TO THE BAR.—Soon after the sitting of the Court, the lord-chief-justice said, that, as it was of high importance to the public and to the suitors in the particular causes in which rules nisi for new trials had been granted, that those rules should be disposed of during the term, or as soon after as possible, the Court would wish to hear only one counsel on each side. They therefore requested, that the juniors would not offer to address them after their leader had been heard, unless they felt that he had omitted to notice some important fact or some material argument. They did not mean to lay down a rigid rule, that they would hear only one counsel on each side, which might be productive of inconvenience, but they trusted to the discretion of the bar not to occupy their time by going severally through the whole case, where it was not absolutely necessary to the interest of their clients.

The case of *Hollis v. Goldfinch*, which stood next in the new trial paper, and was an action of trespass for breaking and entering a close, being then called on,

Mr. Gaselee showed cause against the rule for a new trial, in a speech which lasted nearly three hours. As soon as he had concluded, Mr. Selwyn rose and said, "I am on the same side with Mr. Gaselee; and in conformity with that rule which your lordships have this day laid down, I refrain from adding any observations to those which you have already heard. But in the peculiar situation in which I stand, as the first victim of this regulation, I feel it due to myself and to those who surround me to say, that I trust this regulation will cease with the occasion which has

caused it, and will not be applied at all times and to all cases."

The Lord Chief Justice.—"I am very much surprised, that such an observation should be made. The Court has laid down no regulation, nor has it placed any one in the situation of a victim: it has only thrown out an intimation, which the great press of business and the public interests seem absolutely to require."

Mr. Selwyn.—"I felt it my duty to make the remark which I have made, because I will never have it said, that I surrendered the rights of my profession."

The Lord Chief Justice (attempting to interpose).—"There are no rights in question."

Mr. Selwyn (continuing).—"It shall never be said, that I, situated as I am to-day, expressed no dissent from a regulation, which, if permanently adopted, would make a desert of these benches, and would deprive the juniors of the bar of those opportunities of addressing the Court, which may give them experience and a just confidence in their powers, and may qualify them in due time to become leaders of causes."

The Lord Chief Justice.—"I am very much concerned that such a remark should be made; and I am sure it is not called for by any act on the part of the judges. The intimation is not new. Long before the time when I had first the honour to sit here, a similar notice was more strongly given, and was acted on without objection. I am always most anxious to hear all that can be urged by the gentlemen of the bar: I know that their observations are not only calculated to benefit themselves, but to serve

their clients and inform the judgment of the Court; and it is with great pain that I refrain from hearing them at length. We do not mean to say, that we will hear only one counsel even now, but we put it to the gentlemen of the bar, whether, in the present state of public business, they will occupy the time of the Court with a repetition of arguments already presented to its attention."

Mr. Selwyn.—"I trust that I have made the remark which I felt bound to offer, with all the respect which is due to the Court."

The Lord Chief Justice.—"Why, the word 'victim' might have been omitted."

HOUSE OF COMMONS.—An interesting illustration of the votes of the members of the House of Commons, during the last session of parliament, has been published under the title of "An Alphabetical List of the Members of the Commons House of Parliament, &c." It illustrates their votes both for and against ministers on 14 great questions, and gives the minorities on 86 questions; distinguishing 89 members who hold places, the emoluments of which in the aggregate, amount to 183,372*l.* 8*s.* 11½*d.* per annum, according to a return made to the House during last session; distinguishing also about 40 other members—such as the sons, brothers, or dependents of the Lord President of the Council, of the Secretary of State for the colonies, &c. who receive about 20,000*l.* per annum out of the taxes, not included in the before-mentioned sum of 183,372*l.* 8*s.* 11½*d.* The following analysis and summary is deduced from the whole, viz.—

Members Vote.	For Ministers.	Against Ministers.	Both.	Not at all.	Total.
From 40 counties of England	25	37	10	8	80
— 12 ditto, and 12 towns of Wales	13	9	1	1	24
— 89 cities and boroughs, open election	59	107	5	11	180
— 99 ditto ditto, in which the suffrage is vested in bur- gage tenures or self- elected corporations, and consequently resolved into individual influence	151	12	5	28	196
— 15 ditto, ditto, ditto . . . .	..	29	..	..	29
— 2 Universities	3	..	..	1	4
— 33 Counties and 66 royal burghs of Scotland	25	11	..	9	45
— 32 counties of Ireland	24	14	2	24	64
— 33 cities and boroughs of Ireland	21	7	..	8	36
Total	320	226	23	89	658

The following shows the counties, in which the borough influence more particularly prevails, viz.

	Boroughs.	For Ministers.	Against Ministers.	Not at all.	Total.
Cornwall	21	32	3	7	42
Wilt	16	18	8	6	32
Sussex	13	13	10	3	26
Devon	12	17	4	3	24
Hants	12	18	6	5	24
Dorset	9	9	8	1	18
Surrey	5	9	..	1	10
Total	88	111	39	26	176

FEBRUARY.

3. **ST. PETERSBURGH.**—The Emperor yesterday evening reached Zarskojisel, and to-day arrived in this city. He repaired to the Cathedral of our Lady of Casan, where Te Deum was performed for his majesty's happy return after

six months' absence. The city was illuminated in the evening.

5. **THE DEOCAN PRIZE CASE.**—**TREASURY CHAMBERS, Wednesday.**—Present, the earl of Liverpool; the chancellor of the Exchequer; the hon. Berkeley Paget; Viscount Lowther; lord Granville H. Somerset.

" Their lordships having heard counsel in support of the claims of the marquis of Hastings and the Grand Army, and of those of sir Thomas Hislop and the army of the Deccan, and having maturely and deliberately weighed and considered all the documentary evidence laid before them, in behalf of the several parties, and the arguments of the counsel, are of opinion, that the most just and equitable principle of distribution will be, to adhere, as nearly as the circumstances of the case may admit, to that of actual capture : and that, although they are aware that the principle of constructive capture must, under certain circumstances, in a degree be admitted, the disposition should be to limit, rather than to extend, that principle :

" They are therefore of opinion, that the mode of distribution originally intended by the marquis of Hastings would be most equitable and just, with respect to the booty taken at Poonah, Mahidpore and Nagpore ; and that the booty taken on each of those occasions respectively, should belong to the divisions of the Deccan army engaged in the respective operations in which the same was captured : but that, as the division of the Bengal army, under brigadier-general Hardyman, appears to have been put in motion for the purpose of co-operating directly in the reduction of Nagpore, and to have been actually engaged with a corps of the enemy antecedent to the surrender of that place, this division appears to their lordships to be justly entitled to share in the booty captured at Nagpore ; and that such other booty, arising from the operations against the Mahrattas in the years 1817 and 1818, as may now be subject to his majesty's royal dis-

position, should be granted to such divisions of the grand army under the command of the marquis of Hastings, and of the Deccan army, under the command of sir Thomas Hislop, as may respectively have captured the same.

" Their lordships are also of opinion, that conformably to the letter of the marquis of Hastings to sir Thomas Hislop, of the 12th of January 1818, sir Thomas Hislop, as commander-in-chief of the Deccan army, and all the officers of the general staff of that army, are entitled to participate in the booty which may arise from any capture by any divisions of the army of the Deccan, until the said army of the Deccan was broken up on the 31st of March, 1818.

" Their lordships have felt it to be inconsistent with their duty to recommend to his majesty to give his sanction to any agreement for the common division of booty, into which the several divisions of either army may have entered, as it is their decided opinion, that if the principle of actual capture be not adopted, in this case as the rule of distribution, no other correct or equitable rule could have been adopted, than that of general distribution amongst the forces of all the presidencies engaged in the combined operations of the campaign.

" Their lordships do not consider, that, under all the circumstances of this case, it will be expedient to recommend to his majesty to grant any part of this booty to the East-India Company.

" And their lordships will submit to his majesty their recommendation, that he will be graciously pleased to direct, that his royal grant of the said booty may be made in conformity with these principles."

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6. The cause relative to the letter of Benjamin Constant to M. Mangin, procureur-general, before the Royal Court of Poitiers, was heard on Thursday by the Court of Paris. Both parties, M. B. Constant and the public prosecutor, had appealed against the sentence of the Court of First Instance, which condemned the accused to one month's imprisonment, and a fine of 500 francs. The Court, after hearing the pleadings, and deliberating one hour, annulled both appeals; but nevertheless, in virtue of article 463 of the penal code, altered the punishment, condemning M. B. Constant to pay a fine of 1,000 francs.

KING'S-BENCH—*The King v. Wright*. Mr. Gurney moved for the judgment of the Court on Mrs. Susannah Wright, who, having been found guilty of publishing a libel on the Christian religion, was committed last term to Newgate, for persisting to state matter which the court deemed offensive.

Mrs. Wright now appeared on the floor of the court, attended by a female friend. She was neatly dressed, but seemed to have suffered in health from the imprisonment which she had undergone.

The Lord Chief Justice asked her, if she wished to offer any thing in mitigation of punishment.

Mrs. Wright replied that she did.

The Lord Chief Justice.—Then we are ready to hear you.

Mrs. Wright produced a large paper, and proceeded to read it. She began by declaring, that, having reviewed her conduct in the solitude of her prison, she saw no reason to change her opinions, or to repent of the constancy with which she had urged them. When she was last before the Court, she was prepared to show, that the

Judges had no right to pass any sentence upon her, because Christianity was no part of the law of England. In pressing this argument, she had been stopped by their lordships, because her reasoning was not agreeable to their ears—

Mr. Justice Bayley.—Not because it was not agreeable, but because it was not legal. I will show to you, that it is not our assertion, but the solemn decision of former judges, that Christianity is parcel of the English law, and we cannot suffer that point to be argued now. The learned judge then read the opinion of the Court in the "*King v. Orme*."

Mrs. Wright, without making any reply, proceeded with her argument, that Christianity could not be part of any human law, and that no human judges had a right to punish those who endeavoured to destroy it.

The Lord Chief Justice then addressed the defendant, who continued her endeavours to obtain a hearing:—Mrs. Wright, you have been informed by the Court, that they cannot permit you to contend, that to defame and vilify the Christian religion is no offence against the law. If you can urge any thing, to which we may properly attend—especially if you can address to us any topics to show, that a pitying consideration of your case may be taken, we are most ready, nay, most anxious, to hear you; but we will not hear what we cannot listen to without a breach of the duty we owe to ourselves and to the country. We will not suffer any person, convicted of a blasphemous libel, to repeat the offence, under pretence of showing that no judgment ought to be pronounced against him.

Mrs. Wright.—I do not consider it as an offence, and I will prove—

Mr. Justice Bayley.—It is not what you consider which must prevail, but what the Court determine, in conformity with previous decisions, and under the sanction of their oaths.

Mrs. Wright, however, proceeded, as if no prohibition had been addressed to her—"The Christianity you say you hold"—

The Lord Chief Justice.—Will you offer to us any grounds in mitigation of punishment?

Mrs. Wright.—I shall proceed with this—"The Christianity you say you hold"—

The Lord Chief Justice.—We are sorry to take this course, but we have no option. The law must not be borne down and trodden upon by defendants in this manner. We can hear no more, unless you will address us in a way which we can properly hear.

The Judges then began to consult, but, during the whole of their consultation, Mrs. Wright proceeded to read on, quite regardless, and apparently unregarded. At length she was stopped by

Mr. Justice Bayley, who rose, and without any preliminary observation, said, "Susannah Wright, the judgment of the Court on you is; that, for the offence of which you have been found guilty, you be imprisoned in the House of Correction, in Cold Bath Fields, for eighteen calendar months, and that you pay to the king a fine of 100*l.*, and that, at the expiration of your imprisonment, you find two sureties for your good behaviour for five years, in 50*l.* each, and that you be further imprisoned, until such sureties be found and such fine be paid."

Mrs. Wright was taken from the court, protesting against the sentence, and with a contemptuous smile on her countenance.

11. The Solicitor General moved the King's-bench for a rule to show cause, why a criminal information should not be filed against Dr. O'Meara for several libels published against sir Hudson Lowe in "A Voice from St. Helena."—The Court expressed some difficulty in granting the rule, on account of the lateness of the application. Mr. C. Phillips, for the defendant, observed, that no less than three grand juries had sat, since opportunity was afforded for the application. After consulting with the other Judges, the lord chief justice granted the rule, saying, "You may take your rule; and in showing cause, perhaps you will produce authorities for our interfering at so late a period."

12. In the court of King's-bench, five persons recently convicted of keeping gaming-houses in Pall Mall and St. James's-street, were brought up for judgment:—Rogiers was sentenced to pay a fine of 5,000*l.* and to be imprisoned in Cold Bath Fields 12 months; Humphrey, to pay a fine of 200*l.* and to be imprisoned two years; Oldfield, to pay a fine of 1,000*l.* and to be imprisoned in the King's-bench prison; Bennett to pay a fine of 1000*l.* and to be imprisoned in the same place; and Carlos to pay a fine of 500*l.* and to be imprisoned in Cold Bath Fields, each for 18 calendar months.

13. Upwards of 250 solicitors met at the Crown and Anchor Tavern, in the Strand, to adopt such measures with respect to the king's counsel in highest practice in the court of Chancery, as might lead to a more effectual per-

formance of their duty to their clients, than has taken place since the establishment of the Vice-chancellor's court. Mr. Le Blanc was in the chair. The measure suggested as most advisable, was the appointment of a committee to consider the propriety of securing justice to their clients by employing those gentlemen of the bar only, who would attend strictly to the business placed in their hands, and who were determined not to divide their attention between the courts, in such a manner as to give cause of complaint. — Resolutions to this effect were immediately agreed to.

These resolutions, however, proved ineffectual. None of the gentlemen of the bar made any alteration in their usual line of conduct. The truth was, that this clamour, raised by the solicitors, was wholly without foundation. No instance is to be found of any king's counsel neglecting his duty to his client.

15. LIVERPOOL.—Half-past 12 o'clock.—The election terminated by the withdrawing of the two opposition candidates, and Mr. Huskisson was returned. The numbers stood, at the close of the poll—

Mr. Huskisson . . . 236

Lord Molyneux . . . 31

Dr. Crompton . . . 0

19. NEWCASTLE-UPON-TYNE.

—In the theatre, shortly after the commencement of the second act of *Tom and Jerry*, one of the gas-lights, in the third box from the stage, set fire to the wood-work that enclosed the pipe. The consequence was, that an immediate alarm of 'fire' pervaded the house, particularly the gallery, which was very much crowded. Although it was soon apparent to the company

in the boxes and the pit, that there was little or no danger to be apprehended, the people in the gallery were not to be tranquillised. Considerable efforts were made from the stage, too, to persuade them, that, if they would but patiently wait a very short time, they would see every thing restored to order. All in vain: a deaf ear was turned to the advice given to them—and with a tremendous rush, they struggled for egress. Eight individuals were literally trodden to death! Many more sustained severe injury.

20. OLD BAILEY.—Benjamin Moore, a well-dressed young man, was indicted for assaulting, on the king's highway, general Wm. Kerr, with intent to rob him.

By the evidence of the prosecutor it appeared, that on the 7th of February witness had been dining at the United Service Club, in Waterloo-place. He left that house shortly before eight o'clock, not in the least affected by wine, and passed through St. James's-square, by the house of the late marquis of Londonderry. He wore at the time a military cloak, which, being open in front, left his chain and seals exposed to view. When he arrived near the bottom of Duke-street, he suddenly received a violent blow on the back of his head, which almost stunned him. Finding himself unable to resist, witness called out for help; and turning round to see who was near him, he fell against some railings, and held fast by them. He saw a man standing close behind, with (as witness then conceived) a large stick in his hand. The man held the stick up with both his hands, in the attitude of striking. Witness thought, that, if it had been a stick, the blow he received must have fractured his

skull. The man did not strike a second blow, but ran off, when witness again cried out for assistance. The night was dark, but there were three gas lamps near the spot where he was attacked. Witness saw two men on the opposite side of the way, one of whom ran after the prisoner, and the other came over to support witness. In a few minutes, and while witness still continued on the spot, the prisoner was brought to him by a soldier and the man who had pursued him. The prisoner then appeared to be much heated and agitated, and said to witness, "Are you the man I shoved against just now?" Witness replied, to the best of his recollection, "I don't know what you call shoving, but some cowardly villain, a few minutes ago, most cruelly assaulted me behind my back." The prisoner said, he had taken witness for another man. The prisoner held a cotton umbrella in his hand, which appeared to be saturated with rain. The blow witness received was a most severe one, his head was much swollen, and he even now felt the effects of it.

Michael Donovan proved, that he was passing through Duke-street on the night in question, in company with a man of the name of Osmin. He heard a cry of "Help, for God's sake," and heard at the same time a blow, or blows. On the opposite side of the way, he saw two persons; one of them was staggering, and the other was running away. Witness pursued the man who was running away, and overtook him at the bottom of St. James's-square. During the chase, witness cried out, "Stop him;" and in Pall-mall a soldier did stop him. When the soldier

stopped him, the prisoner struck him with an umbrella.

Osmin and the soldier, by their evidence, confirmed this account most fully. The prisoner was taken to St. James's watchhouse.

In his defence, the prisoner stated, that he had attacked the general by mistake, conceiving him to be another man. He denied that he had any intention to rob the prosecutor; and represented the improbability, that, if he had intended to rob the general, he would have incumbered himself with an umbrella.

Several witnesses gave the prisoner a good character. One of them was his own brother, a respectable tailor in Bond-street.

The jury (after the judge had summed up the evidence) asked, whether they could find the prisoner guilty of the assault, excluding the intent to steal?

Mr. Baron Graham explained, that the prisoner had been indicted upon a particular act of parliament, and that the jury must be satisfied, that it was the prisoner's intention to commit a robbery. The prisoner must therefore be pronounced either guilty, or wholly innocent of the charge. Not Guilty was the verdict.

21. MURDER. — *Ely Assize Court.*—John Rolfe was convicted of the murder of John Landen, with a hedge-stake, in a plantation on the farm of Jonathan Page, esq., in Burnt Fen, parish of Littleport.

On his first examination, Rolfe charged two labouring Fen men, his neighbours, as accomplices with him in this deed, who were immediately apprehended. As he persisted in charging them with being the first who struck Landen; another examination took place,

in the course of which their innocence was so clearly manifested, that at length Rolfe acknowledged the falsehood of his tale, and confessed himself to have been the sole perpetrator of the deed! After his condemnation, he became sullen, and regardless of his approaching fate, until a few hours before his execution took place, when he made the following voluntary confession of his crime, viz:—

“That he went with Landen, from the house of the latter, on the night he committed the murder, to the plantation, where they had agreed to take the game; soon after they had arrived there, while Landen was stooping to set a snare, he struck him with the back part of a casting-tool—a kind of fen-spade, which he had brought with him from Landen’s house; that he repeated the blows two or three times, though he believed the first had killed him, as the only words he spoke after were—‘Oh dear!’—that he did not struggle at all. The bludgeon, he said, produced in Court, he had never seen before: that Landen took no stick with him, but cut one on entering the plantation for himself. He said, that he had determined to kill Landen two or three days before he did it, and that his object was, the booty of his money, watch, and his high shoes, which he unlaced and took from his feet; but that he was also afraid Landen would inform against him for some fowls they had stolen together. That he intended the fen-spade, which he brought from Landen’s house, for another purpose beside the murder of Landen; that was, to dig his grave, and bury him; which he thought he had sufficiently done.”

25. THE KING v. JOHN FER-

RIER.—This was an information, filed *ex-officio* by the attorney-general, against the captain of a merchant vessel, for carrying two seamen named Clarke and Morris, to Genoa, and wilfully leaving them at that port.

The Solicitor-General stated, that this prosecution was instituted under the statute of William, which was passed to protect British seamen from a species of oppression to which they were peculiarly liable. There was a double temptation to captains to leave their men in foreign ports, because the mariners were not entitled to wages unless they performed the whole voyage, and because foreign sailors might be hired at a cheap rate to navigate the vessel on her voyage home. To shield seamen from this evil, the statute prohibited, in the most positive terms, the leaving of any sailor at a foreign port by the captain of a merchant vessel. The defendant had taken Clarke and Morris on board at Bristol, but at Genoa had refused to allow them provisions, in order to compel them to leave the ship. They were willing to go, if the captain would pay them their wages, but he refused to do so; and while they were gone ashore to obtain provisions, he set sail without them. The British consul provided for them while they remained there, secured them a passage home, and passed them to the Navy Board, by whom this prosecution was directed. A similar indictment had been tried three years ago, and the Admiralty, thinking it of great importance, had caused the proceedings to be printed, and had ordered a copy to be placed in the office of every British consul.

The case was proved by the two seamen, Morris and Clarke.

The defendant made an address to the jury, in which he complained that the sailors had not done their duty as he expected, but did not apply his observations to the material part of the charge.

The jury found the defendant Guilty.

ANSWER OF THE RIGHT HON. T.

WALLACE, M. P. (late president of the Board of Trade), to the Address from the merchants, bankers, ship-owners, and others connected with the trade of the Port of London, presented on the 26th of February, 1823:—

It is for the first time, I believe, that it has been the good fortune of any individual, under similar circumstances, to receive from the great mercantile body of the city of London the honour that has been conferred upon me, by this most gratifying address; gratifying, not less from the sentiments it conveys than from the manner in which the communication has been made to me.

If you do justice to the emotions which the sense of such an honour, and from such a body, cannot fail to excite in a mind not dead to every feeling of honest pride, you must be satisfied, how hopeless it would be on my part, if I attempted to find language capable of giving expression to what I feel at the present moment. I will, therefore, simply assure you, that I thank you from my heart for this inestimable testimony of your esteem, and that I receive from you, with the profoundest sentiments of respect and gratitude, this highest distinction to which a public man in a free country can aspire, the spontaneous

acknowledgment of his services by a body of his countrymen, not only most important in its intimate relation to the national wealth and prosperity, but at the same time, best qualified to appreciate the services it has condescended to approve.

Thankful as I am, I retain, however, too just an estimate of the limited extent of my own powers to presume, that any possible exertion of them could entitle me to a distinction so unexampled. Much I must be conscious is due to the partiality with which my efforts have been viewed; much more to the purposes to which they were directed and the principles which governed them; and most of all to the results they were intended to obtain. If any differences of opinion have existed in respect to the measures of which I have been the advocate, I have the happiness to see before me a convincing proof, that the candour of those who differed from me has never denied to my motives the most favourable interpretation. To relieve the shipping of the country from every vexatious and unnecessary burthen; to simplify, consolidate, and improve the laws by which our navigation has been regulated; to give additional freedom to our intercourse with foreign states; to recommend a system of trade more adapted to the age in which we live, and the enlightened and liberal principles that characterise it, freed from the antiquated prejudices that made us view with jealous apprehension the industry and progress of other nations, and unincumbered by the shackles and restrictions those prejudices had imposed; to open wide our ports for the admission and transit of

the productions of every country; to render this island the universal emporium of trade, and to see the city of London the metropolis not only of the first commercial kingdom but of the commercial world itself, have been the objects for some years to which the hopes and labours of my public life have been constantly devoted: objects, of which, through the known sentiments of his majesty's government, and the wisdom of the legislature, I trust, under the blessing of Providence, we shall all witness the accomplishment. If this should happily be achieved, if I shall have been fortunate enough to be in any degree a humble instrument in the success of such a work, the consciousness of having fulfilled my duty, the certain prosperity of the country, and, gentlemen, the grateful remembrance of this day, I shall feel to be rewards far beyond any pretensions I can possess, and more than sufficient to satisfy the utmost wish any reasonable ambition could cherish. The assurance of this feeling, I trust, will be accepted by you as the best pledge I can offer, that my zeal will never be remitted, while any part of the duty imposed on me by the wish you have been pleased to express is left unperformed, and while it is in my power in any way to contribute to the advancement of our navigation and commerce, to which may be traced so much of the blessings which, as a people, we enjoy, our wealth, our greatness, our maritime power, our exalted station amongst surrounding nations, even of the liberty of this country itself, and the means by which we have been enabled to bear so glorious a part in re-establishing, I hope permanently, the

freedom and independence of Europe. Allow me to trespass one moment further on your attention, to express my particular obligation to you gentlemen who have done me the honour of attending on this occasion; and to assure you, that your personal kindness to me, in consenting to form this deputation, has made an impression upon my mind, that will remain unaltered to the latest hour of my life.

FRENCH PRESS.—An article in the *Drapeau Blanc* having given offence to the Chamber of Peers, the editor of that journal, and M. Martainville, the writer of the article, were brought to the bar of that assembly. They were heard by themselves and counsel, after which the Chamber acquitted the editor, and sentenced Martainville to be imprisoned one month, and to pay a fine of 100 francs. The proceedings were with closed doors.

28. LORD PORTSMOUTH'S CASE.—This important case, after having occupied seventeen days, in the examination of witnesses, was this day concluded. Mr. Commissioner Trower summed up the whole at great length. He particularly commented on the evidence of the medical men, who had declared lord Portsmouth to be of unsound mind, and put it to the jury, whether they had seen any thing in their examinations of his lordship to lead them to a different conclusion. In alluding to the marriage of the earl with the present countess, he thought that Mr. Hanson had been guilty of a dereliction of his duty as a trustee, in acting as he had acted in furtherance of this marriage without the knowledge of the other trustees. The jury retired for an hour, and then returned an unanimous ver-

dict—"That John Charles, earl of Portsmouth, is a man of unsound mind and condition, and incapable of managing himself and his affairs; and that he has been so from the 1st Jan., 1809." The jury afterwards declared, at the suggestion of the chief commissioner, that, having heard no evidence on the point, they knew not who was heir to the titles and estates of the earl of Portsmouth.

GENERALS PEPE AND CARASCOSA.—About two years ago, the Neapolitan general Carascosa announced his determination of calling out lieutenant-general William Pepe, late commander of the Neapolitan forces. Very shortly after general Pepe's arrival in London, which was on the 1st of this month, he received a letter from general Carascosa, in which that officer, after charging general Pepe with conduct injurious to his reputation, avowed his opinion, that military revolutions were, in all cases, contrary to the principles of honour—that any change in the government of Naples was unnecessary—and still less in that of Spain. The letter concluded with a challenge in the usual terms.

To this letter, general Pepe replied, by declaring his opinion, that every free state was indebted for its liberty to military revolution, not excepting even England—that the Spaniards were now a prey to civil anarchy, only because certain individuals, calling themselves Liberals, were, in fact, hostile to the constitution of the Cortes—that he had employed the authority which his rank and his command had given him at Naples, to resist the despotism of a government, which, while it rendered the people miserable, was of no

actual advantage to the reigning dynasty—and concluded by accepting the challenge.

On the 20th, the generals met—count Santa Rosa, ex-minister of war of Piedmont, attended general Pepe, and M. Brunet, a French gentleman, general Carascosa. The weapons were swords, and the combatants engaged; but at the second pass, general Pepe's sword snapped short near the guard, on which the seconds interfered, and the combat, as is usual in such cases, was deferred.

A second meeting took place to-day, a few miles from London, not far from Kew-bridge. On engaging, general Carascosa attacked with great impetuosity; but after several passes on both sides, general Pepe seizing his adversary's sword with his left hand, disarmed him; and placing the point of his sword at his breast, had his life in his power. Here the affair would have terminated, but general Carascosa, on recovering his sword, renewed the combat, which was warmly maintained, until he was finally disabled, by a thrust from general Pepe in the right shoulder. General Pepe, seeing his adversary incapable of further defence, declined availing himself of his advantage; and thus the duel terminated.

MARCH.

1. **HIGHWAY ROBBERY BY A FEMALE.**—On Thursday evening, at about half-past seven o'clock, as Miss Disney, a farmer's daughter at Reedham, in Norfolk, about 16 years of age, was on her return home from Yarmouth, accompanied by a female servant and a boy, she was accosted on Had-

discoe Dam by a person in woman's attire, who approached her and demanded her money, with a threat of cutting her throat if she did not instantly comply, at the same time putting her hand in her bosom, as if to take out the knife. On hearing this threat, the servant and the boy ran away, leaving Miss Disney in the power of the robber, to whom she delivered a morocco purse with 28s and a bundle containing oranges, lace, &c. On the receipt of the booty, the robber made a precipitate retreat. When Miss Disney arrived at Haddiscoe, the circumstance had become pretty generally known from the servant and boy, and several people were about to hasten to her assistance. The Yarmouth Morning Star coach coming up shortly after, information of the robbery was given to the coachman. On the coach's arrival at St. Olave's-bridge, the landlord of the public-house there, asked, if he had room for a female to Yarmouth, to which he replied in the affirmative. The female then made her appearance; and it immediately occurred to the coachman, that she must be the robber, of whom a description had been given him at Haddiscoe. The coachman placed her inside, and requested a friend to get in also, and to take charge of her, but not to make his suspicions known. On the arrival of the coach at Yarmouth, a mayor's officer took her to his own house; where, on examining the bundle she had with her, it was found to contain the very articles which had been stolen from Miss Disney; and on a further search, the purse, with its contents, was found beneath her stays. To-day she was brought up for examination before the ma-

gistrates for the county, at Yarmouth; when it appeared, that Miss Disney, with the servant and boy, came to Yarmouth in the forenoon of the day of the robbery to make a few purchases; and, in the course of their perambulation, met with the prisoner, who was well known to Miss Disney from their having lived in the same parish together. On their return home in the evening, the prisoner expressed her intention of accompanying them part of the way, and proceeded with them as far as Fritton, when she bade them good night. Miss Disney had not, however, proceeded far over Haddiscoe Dam, when she was accosted by the prisoner in the manner before described, whom she then took to be a man disguised as a woman. The prisoner was fully committed to Norwich Castle, to take her trial for the offence. She is about 18 or 19 years of age.

WILD BEASTS.—The Isle of Man was lately in danger of being overrun by beasts of prey. The caravans belonging to Polito, got into a deep drift of snow, on the road between Douglas and Ramsay, when, owing to the inclination of the vehicles, the beasts were forced on one side; the boards gave way, and forth issued tigers, bears, hyenas, and other animals; but their ferocity was totally paralysed, either by the cold, or the appearance of the snow all around, and they were again gotten into secure confinement.

TREAD MILL.—Mr. Secretary Peel, in January last, addressed a circular to the visiting magistrates of the twenty gaols and houses of correction, where tread-wheels have been established; "asking how long the tread-wheel had been in operation; and whether they had found any injurious

effects had been produced by it on the bodies or legs of the prisoners, who had worked thereat?" The replies of the magistrates in effect are, that no injury of the sort is complained of; on the contrary, that the tread-wheel is conducive to health.

PRINCE ESTERHAZY.—Some considerable time ago, a Frenchman, calling himself count de Bettera, waited upon prince Paul Esterhazy, and made a claim for the payment of a large sum of money, which he alleged he had won at a gaming-table, during a residence in Austria, from prince Nicholas Esterhazy, the father of prince Paul. The prince, not being inclined to give implicit credit to such a story, resisted the demand; but, finally, in order to get rid of the claimant, who was exceedingly boisterous and troublesome in his mode of enforcing his suit, he consented to pay him 150*l.*, upon condition that it should be taken as an entire acquittance, and that he should quit this country. Bettera, however, subsequently repeated his demand for the whole sum, which he had alleged in the first instance to be due to him; and, failing in obtaining it, he had recourse to threats and conduct of the most violent kind. He took every opportunity of insulting the prince, and that as publicly as possible. He went several times to the residence of the embassy in Queen Anne-street, and accosted him at various other places, threatening to horsewhip or cudgel him; and another mode of annoyance, which he adopted, was, to make the prince the subject of a caricature, which was exhibited in the window of a well-known shop in Piccadilly. At length, he went so f

as to threaten to blow out the brains of prince Paul, who thereupon made complaint to his majesty's ministers. The consequence was, that Monsieur de Bettera was visited one day last week at his hotel, the Prince of Wales, in Leicester-place, by an officer, who conveyed him before the privy council, at Whitehall. He was there examined, and then committed to the House of Correction, Coldbath-fields, until he could find sureties to keep the peace, with an order also that he should give forty-eight hours' notice of bail. To-day he gave notice of bail, and was conveyed to a police-office, to enter into the proper recognisances; but the persons, whom he had named, did not come forward, and he was remanded back to prison.

BEQUESTS TO THE NATION.—There has been published, by order of the House of Commons, an account of the sums of money, given or bequeathed by individuals towards the reduction of the national debt, up to the 5th of January, 1823. The following is a list of these donations and bequests:—

James Burgis, 1st August, 1809, 200*l.* 3 per cents.

Admiral Peter Rainier, 1st February, 1810, 11,488*l.* 18*s.*, and on the 5th April, 1819, 187*l.* 9*s.* 3*d.*

Anna Maria Reynolds, 1st May, 1816, in stock of various descriptions, to the amount of 35,996*l.* 7*s.* 4*d.* sterling.

Anonymous, 1st May, 1816, 10*l.*—Ditto, 5th July, 1818, 5*l.*—Ditto, 5th April, 1822, 300*l.*

Richard Quarlermain, 5th April, 1822, 100*l.*

Major Thomas Gamble, 5th July, 1822, 14,300*l.* navy five per cents.

The total amount in money is 66,636*l.* 14*s.* 1*d.*; and the estimated amount of three per cent consolidated annuities, which the above donations and bequests would amount to, on the 5th of April, 1823, if the whole sum had been vested in those annuities, is 187,248*l.*

7. A splendid entertainment to the Spanish and Portuguese ambassadors was this day given at the city of London Tavern. The most distinguished members of both Houses of Parliament, and the most eminent persons of the commercial and monied interest, filled the room. Upwards of 400 persons of rank and respectability were there. Lord William Bentinck was in the chair, and on his right sat the duke of Sussex, the duke de San Lorenzo, supported by the ambassadors of Spain and Portugal, &c. &c.

PRINCE ALEXANDER HOHENLOHN.—Dr. Badeley, Protestant physician to the convent of New Hall, near Chelmsford, has published "An Authentic Narrative of the Particulars of a miraculous cure of one of the nuns." The patient, aged 30, was suddenly attacked on the 7th of December, 1820, without any apparent cause, with a pain in the right thumb, which rapidly increased, and was succeeded by a swelling of the whole hand and lower arm. The swelling becoming red and painful, the advice of Mr. Barlow, a respectable surgeon of Chelmsford, was taken; under whose directions the usual remedies of leeching, blistering, fomenting, poulticing, and embrocating, were employed. After giving these various modes of treatment a trial, Mr. Barlow, supposing matter had formed near the bone, made an incision in the

ball of the thumb, but no matter escaping, he recommended further advice to be taken, and Mr. Carpue, of London, was accordingly called in, who, after inspecting the part, enlarged the incision, supposing that matter would follow; but none appeared. After the expiration of a week, another incision was made on the back of the forefinger, with the view of affording vent for matter; but nothing except blood escaped. The surgeons, being evidently a little embarrassed, and desirous to get rid of the responsibility of the case, declared, as is common in such cases, that the constitution was in fault. The assistance of Dr. Badeley was, in consequence, resorted to; who prescribed mercury, with other medicines, to correct the constitution, while mercurial friction was applied to the affected arm. This was continued, till thenun was salivated. The swelling of the arm, while the system was under the influence of mercury, nearly subsided, and in this state it continued many days. The disease, however, soon continued to advance, till it "was as bad as ever," notwithstanding Dr. Badeley had succeeded in "re-establishing perfectly her general health, and notwithstanding every thing had been done which the London and the country surgeon could suggest during 18 months."

Mrs. Gerard, the superior of the convent, supposing that the disease could not be cured by any human means, wrote to prince Hohenlobe, of Bamberg, who is, by some German enthusiasts, considered to be peculiarly favoured by the Almighty, to solicit his interference with the Disposer of all events, in behalf of the afflicted nun.

To Mrs. Gerard's letter, the

prince returned the following answer:—

“To the religious Nun in England.—On the 3rd of May, at eight o'clock, I will offer, in compliance with your request, my prayers for your recovery. Having made your confession, and communicated, offer up your own also, with that fervency of devotion and entire faith which we owe to our Redeemer Jesus Christ. Stir up from the bottom of your heart the divine virtues of true repentance, of Christian charity to all men, of firm belief that your prayers will be favourably received, and a steadfast resolution to lead an exemplary life, to the end that you may continue in a state of grace.—Accept the assurance of my regard.

“PRINCE A. HOHENLOHE.

“Bamberg, March 16, 1832.”

On the 2nd of May last, Dr. Badeley, being at New Hall, examined the affected hand and arm of the nun, which, he says, he “found as much swollen, and as bad as he had ever seen them;” but he admits, that her general health was good, so that the disease was local. The fingers were enormously enlarged, and the wrist was fifteen inches in circumference. Neither the doctor, nor the London or country surgeon, ventured to give the swelling a name. The following day, viz., the 3rd of May (a day particularly observed by Catholics), the afflicted nun went through the religious process, which the prince had prescribed. Mass being nearly ended, Miss O'Connor, the patient, not finding the immediate relief she expected, exclaimed, “Thy will be done, O Lord! thou hast not thought me worthy of this cure.” Almost immediately after, she felt an extraordinary sensation through the

whole arm, to the ends of her fingers. The pain instantly left her, and the swelling gradually subsided; but it was some weeks before the hand resumed its natural size and shape. Now, says Dr. Badeley, I can perceive no difference from the other.

Dr. Badeley left the patient, on the 3rd of May, free from pain; and on visiting the convent on the 11th of May, he was astonished to find her capable of moving her fingers without pain, and, considering the degree of swelling, with considerable activity; the hand and arm having hitherto been immovable, and constantly supported in a sling. The doctor immediately exclaimed (not knowing that application had been made to the celebrated prince of healing power), “What have you been doing?” “Nothing, I declare,” replied the nun, “except following the instruction of prince Hohenlohe.” Before the doctor left the convent, she wrote, with the affected hand, a letter to Mr. Carpus, to apprise him of the wonderful change that had taken place, and the means by which it had been effected; but whether Mr. Carpus ascribed it to Divine interposition, the doctor has neglected to state.

Another Miracle.—The last number of a periodical work, called the *Nouvelles Tusculanes*, published in Paris, contains the following account of another pretended miraculous cure, performed by prince Hohenlohe:—“Twelve witnesses,” says the Journalist, “whom we know to be incapable of falsehood, and who are by no means credulous themselves, vouch for the following miraculous cure, which has been made public by order of the archbishop of Toulouse, cardinal de Clermont Tonnarre, an investiga-

tion of which left no doubt upon the mind of his eminence:—On the 2nd of September, 1821, Adelaide Veyre, a nun of the order of St. Benoit, at Toulouse, who had assumed the name of Sister Clotilda, received a violent blow on the leg, which had soon so severe an effect upon the system, that her limbs became cold, and she was incapable of motion. The foot even turned, and the most eminent physicians and surgeons of Toulouse declared her case hopeless. The cardinal visited this young nun, who was only 23 years of age, several times, for the purpose of offering her consolation. She frequently expressed a great desire to write to prince Hohenlohe; and after much solicitation, the cardinal acceded to her request, and even indited the letter to the prince, which was dated May 22, 1822. The prince returned an answer, and fixed the 25th of July, the *fête* of St. James, the patron of the monks, to offer up his prayers in her favour. The cardinal also celebrated mass on the same day in the chamber of the nun, who gradually recovered as that sacred ceremony proceeded. When the Host was raised, her foot returned to its natural position, and she was able, without the least pain, to leave her bed and partake of the sacrament! She is now perfectly recovered."

11. STOCKHOLM.—The *State Gazette* of yesterday contains the following notice:—"As fictitious orders, with the forged signature of major-general Holst, have been sent with most criminal intentions to his majesty's commanders in Gefle, Hultstad, Hernosand, and Christianstad, and letters containing them were put into the general post-office in this city; every one, who can point out

the person or persons who put these letters in the post, is hereby called upon to give notice to the chief governor, or to the chancellor of justice. The honour of the nation, the sacredness of the laws, and the general safety, are intimately connected with it. He, therefore, who can point out the author of these letters, and give legal proof of the truth of his statements, shall receive a reward of 10,000 dollars banco. The letters in question were put into the general post-office in this city on the 27th and 28th of February, were sealed with a wafer, and were directed, in the Norwegian language—'To the Royal Commanders,' &c. &c. By his majesty's command,
D. EDELCREUTZ.
G. E. LODI.

"Office of the Chief Governor."

The letters, to which the official notice refers, were intended to spread throughout all Sweden, and that by means of the authorities themselves, an announcement of the approaching assassination of the king and of the whole royal family.

12. LINCOLN ASSIZES.—William Arden, gent. of Pulteney-street, London, Benjamin Chaudeler, late butler to the duke of Newcastle, and John Doughty, carpenter, at Grantham, were arraigned before Mr. Justice Park, charged on the oath of Henry Hackett, apprentice to a linen-draper at Grantham, with an offence revolting to human nature. The trial lasted from 8 in the morning till 8 in the evening, when the prisoners were convicted on the clearest evidence. The learned judge passed sentence of death on all the offenders.

NEW CREATION OF CARDINALS.—The *Diario di Roma* of this date,

mentions the addition of twelve Cardinals to the sacred college:— They are, 1. Francis Bertassoli, bishop of Edessa. 2. John Francis Falsacappa, bishop of Ancona. 3. Antonio Pallotta, auditor-general of the sacred chamber. 4. Francis Lerlupi, auditor of the sacred rota. 5. Charles Maria Pedicini, secretary of the propaganda. 6. Louis Pandolf, secretary of the consulta. 7. Fabricius Turrisio, assessor of the holy and universal inquisition. 8. Hercules Dandini, bishop of Osimo and Cingoli. 9. Charles Odelaschi, auditor of his holiness and archbishop of Ferrara. 10. Antonio Frosini, prefect of the sacred palaces and major-domo of his holiness. 11. Thomas Riario Sforza, master of the chamber to his holiness. 12. Viviano Orfini, deacon of the sacred chamber.

The above list is entirely composed of Italians; the most of them make part of the household of the pope, are employed in Rome in different offices of the government.

13. CHELMSFORD.—Felix Reynolds was indicted for violating the person of Mary Totham, spinster, at Harwich, on the 26th of February; and Timothy Quilligan, Francis Fitzpatrick, and John Butcher were indicted as accessories to the same fact.

The prisoners, all of whom were under the age of 23, were privates in the 58th regiment, quartered at Harwich. The prosecutrix, a girl of 18, of prepossessing appearance, was servant in the family of Mr. Stewart, a pilot, at Harwich. A young seaman named Finch was paying his addresses to her, with the approbation of her friends. In the evening of the 26th of February, she was walking with her lover on the esplanade, at Harwich, when they were accosted by

the prisoners, two of whom laid hold of her and hurried her off towards the barracks, leaving the others to secure Finch, who, hearing her shrieking for help, struggled to follow his sweetheart, and protect her from violence; but finding his efforts unavailing, he returned to the town to procure assistance. In the mean time, the unhappy girl was forced to a hollow place near the barracks, and in spite of her efforts, was forcibly violated by all the prisoners, who successively accomplished their diabolical purpose. The prosecutrix spoke with certainty as to the identity of the prisoner Reynolds, and other evidence was adduced to show, that the remaining prisoners had been absent from barracks at the time the transaction took place, and shortly afterwards returned and hurried to bed. No doubt was entertained of their identity. The case in its details excited universal horror. The unhappy prosecutrix was deeply affected, and her situation produced general sympathy. The prisoners (who were defended by Mr. Jeasop) said nothing.

Mr. Baron Graham having summed up the evidence,

The jury immediately found the prisoners Guilty—Death.

14. STAFFORD.—*Sir George Jerningham, bart. v. Beech*.—This was an action of trover by sir George Jerningham, the proprietor of Stafford-castle, and of large estates in its vicinity, against the defendant, a timber-merchant, in the borough of Stafford, to recover the value of an ash tree and two alders, his property, which had been wrongfully converted to the defendant's use.

In December last, a person, calling himself the hon. James Stamp Sutton Cooke, arrived in

Stafford, and, on behalf of his brother, to whom he gave the title of lord Stafford, laid claim to the estates, of which sir George Jerningham and his predecessors have been in possession for more than a century. He soon interested a number of the populace in his cause by the boldness of his measures and the liberality of his promises. He appointed gamekeepers to the manor of Forebridge, in which Stafford-castle is situate, and by a manœuvre obtained a few hours possession of the castle itself, which is usually open to the inspection of the curious. Notices were issued to the tenants of sir George Jerningham, requiring them to pay their rents only to Mr. Cooke, the authorized agent of his brother, and threatening them with distresses, in case they should refuse to comply. In order to induce them to attorn to the new claimant, leases were offered them at low rents, on the payment of a premium, and a day appointed to receive the rents in arrear, half of which only were required in consequence of the pressure of the times. On these representations, some of the tenants actually made payments, and receipts were given them for the sums. In the mean time, Mr. Cooke proceeded to employ men to fell timber on several parts of the domain, which they did, attended by a rabble, and, in the whole, felled between 70 and 80 trees. Although a hand-bill was issued, and served on all timber-dealers in Stafford, not to purchase any of these trees, the defendant and others became possessed of some of them, and obstinately detained them from the owner.

The defendant in this action was one of the persons who were

thus deluded. It was proved, that two alder-trees and one ash-tree, cut on the lands of sir George Jerningham on the 14th of January in this year, were conveyed to his premises, and that he refused to deliver them up when demanded by the agents of sir George Jerningham. The value of the trees was proved to be 2*l.* 15*s.*

The judge, in his charge to the jury, expressed his strong reprobation of these proceedings. To try a claim of right, it would be enough to cut a twig or take away a clod of earth; and therefore this system of depredation and violence was entirely without excuse. The only doubt in the case was, whether the conduct of the defendant did not amount to felony: to this point the evidence did not quite come, but it was extremely near it. If trees were wrongfully severed one day, without a shadow of excuse, and taken away the next, the parties who lent themselves to such a taking would have to answer as felons in another court.

The jury found a verdict for the plaintiff.—Damages 2*l.* 15*s.*

CHAMBER OF DEPUTIES.—
Sitting of March 15.—M. de Fre-
nilly denounced the following ex-
tract from the *Journal du Com-*
merce of the 11th inst. :—

“ The urn of the chamber of deputies, now become the faithful organ of the council, will only be the responsive oracle of the minister's pleasure. What a spectacle do the public sittings of the legislation exhibit! the sorrow and shame of France. Where would be the limit to taxes, when voted by those only who derive from them salaries and pensions? If the maintenance of the chambers were abandoned to those who ex-claim against it as odious, and who

reproach it with having consecrated usurpations, who could have at once faith in its duration, and in the security of the domains, which it has especially guaranteed?

"Finally, the doctrine on which the expulsion of M. Manuel is grounded, tends to destroy the rights consecrated by the charter, and consequently the moral obligation of subjects. It infringes the privileges of the chamber of peers as well as the prerogatives of the Crown; it ruins public liberty, and consequently the monarchy. It would therefore be of urgent necessity to dissolve a chamber, which pursues such a career, and to renounce electoral combinations, which have produced such a chamber."

"Such a text," continued M. de Frenilly, "requires no comment. I now submit to the chamber, that this libellous extract incurs the penalties of the 15th article of the law of the 25th of March, viz.: — 'An offence against the chamber may, on being denounced by one of its members, be indicted before the ordinary tribunals: or the accused may be summoned to the bar: in which latter case, if the offender, after having been heard in defence, should be adjudged guilty, the assembly shall forthwith ordain the infliction of the enacted penalty.' Either of these courses of proceeding being at the option of the chamber, I demand that the chamber authorize the indictment of the editors and proprietors of the journal in question before the tribunals."

M. de la Bourdonnaye expressed his opinion, that the chamber, by adopting the course of citing the offending parties before the ordi-

nary tribunals, would prejudge the question.

The hon. member was called upon to move an amendment, but he declined.

The president read the 15th article of the law of the 25th of March. When he came to the words "shall be summoned to the bar," several voices on the right cried, "Summon them to the bar! Summon them to the bar!"

M. André d'Aubières expatiated upon the insolent invectives, which had been levelled against the majority of the chamber by certain journals, who were the organs of an opposition which had voluntarily absented itself. They (the right side) had been held up to public hatred as enemies of the charter, and as partisans of absolute power. He (M. André d'Aubières) demanded, who were the greatest enemies of liberty, they who violated the charter by not fulfilling their duty towards their constituents, or they who discharged their duty as faithful deputies? Who were the partisans of absolute power, a constitutional majority who defended the prerogatives of the chamber, or a minority evidently unjust, since they place themselves in revolt against the very principle of law, which recognizes that the majority decides. He concluded by voting for summoning the offenders to the bar.

The keeper of the seals considered, that an indictment before the ordinary tribunals would be preferable, as the most impartial course of proceeding; inasmuch as the chamber would not be a judge in its own cause.

Several other members briefly addressed the assembly. M. Bazire dwelt upon the inconvenience of such a proceeding, at a time when

the chamber was deprived of the presence of a great number of its members.

A voice on the right—"Give yourself no uneasiness; the gentlemen of the left side will return, to be present at the proceedings against the offenders."

The assembly decided, by a strong majority, that the editor of the *Journal du Commerce* should be indicted before the ordinary tribunals, for the publication of the article above extracted.

EAST INDIA COLLEGE. — The following is the bishop of London's decision on an appeal lately presented to him:—

"The bishop of London, appointed visitor of the East India college by the statutes thereof, has received the appeals of Flint, Lawrell, Rowley, Taylor, and Watts, late students of the said college, complaining of sentences of expulsion therefrom, pronounced against them by the college council. He has likewise received the answers of the college council to the said appeals and complaints, and also the replies of the appellants to the said answers.

"Having duly weighed and considered these several documents, the visitor finds himself compelled to declare his conviction, founded in no small degree upon the admissions of the appellants themselves, that they have all of them been parties to a conspiracy, originating in the most erroneous and unwarrantable notions respecting their own relative situations in the college, and pursued by a series of gross and contumelious outrages, committed against the governing members of the society, for the express purposes of annoyance and intimidation.

"The visitor, attending to the

general nature of the institution, and likewise to the particular body of statutes, under the authority and observance of which it is to be conducted, pronounces his judgment, that the several appellants have, by a course of misconduct totally inconsistent with all academical discipline and subordination, and utterly subversive thereof, justly incurred the penalty of expulsion; and he therefore affirms the sentences pronounced to that effect by the principal and professors.

"He directs the college council to insert a copy of this his decree in their proper registry.

(Signed) "W. LONDON, Visitor.

"Attested by me,

(Signed) "CHRIST. HODGSON,
Notary Public.

"London-house, March 18, 1823."

COVENT-GARDEN THEATRE.—A new tragedy, entitled *Julian*, was performed: it is from the pen of Miss Mitford, who is already known to the literary world as the authoress of some poems. The scene is laid in Sicily, and the action of the tragedy arises from the virtuous opposition of Prince Julian to the ambitious designs of his father, the Duke of Melfi. The latter, who is uncle to Alfonso, the rightful heir of the Sicilian crown, is, on the demise of the prince's father, constituted regent of the kingdom, and guardian of the young monarch. Under the pretence of conducting the prince to Messina, where it is proposed that his coronation shall take place, Melfi inveigles him into a solitary pass in the mountains, where he attempts to murder his kinsman and his sovereign. At this crisis, Prince Julian, who had ridden from Messina to meet the caval-

cade, is attracted to the spot by the cries of Alfonso; he interposes at the moment when Melfi is on the point of slaying the youthful king; and, ere he has had an opportunity of seeing the face of the traitor, whose arm is uplifted against his sovereign, he plunges his sword into the side of his father, whom he recognizes as he is sinking to the earth. He immediately flies from the scene of blood, accompanied by Alfonso, who travels with him in the disguise of a page. The dreadful reflection that he has slain his parent preys on the sensitive mind of Julian, and during eight days delirium usurps the seat of reason. The play opens with his recovery; and one of its best and most powerful scenes is that in which his bride, Annabel, draws from him, by her passionate endearments, the cause of his strange and sudden malady. Peace revisits his breast, when he learns that he has only wounded, not destroyed his father: but his happiness vanishes, when he finds that his father, still obstinate in evil, has propagated a report of the death of Alfonso by the hand of an assassin, and has assembled the barons to witness his coronation as next heir to the crown. Julian, whose loyalty is inflexible, vainly endeavours, in an interview with his father, to dissuade him from his guilty design. The unexpected appearance of the young king, whose death had been so confidently reported, excites the suspicion of the nobles. One of them, Count d'Alba, who has received secret intelligence of the attack which had been made on Alfonso, arrests Melfi on a charge of high treason; and calls on Julian to bear witness against his father. This he indignantly

refuses; and he declares, that whatever blood was spilt when Alfonso was attacked, was shed by his hand. Melfi, when arraigned, admits, in a fit of frenzy, the truth of every charge brought against him. He and his son (whose ambiguous declaration is looked upon as a confession of guilt) are banished. The character of the Count d'Alba is now brought prominently forward. His great object in removing Melfi and Julian from Sicily was, that he might have an opportunity of assailing the virtue of Annabel, whom he had long loved. He contrives to have her inveigled to his castle, where he urges his suit, but is indignantly spurned. Julian, while weeping over the dead body of his father, whose mental conflict has caused his wound to burst forth afresh, and thus occasioned his dissolution, is informed of the perilous situation of his wife. He hastens to her place of confinement, gains admission, and tells her that his life is forfeited, the hour, at which he should have quitted Sicily, having elapsed. There is, he observes, but one way in which she can escape dishonour, and he prepares to kill her. His resolution fails: but, while he is yet parleying, Count d'Alba enters with a number of soldiers. Annabel rushes forward to protect her husband, and receives a fatal wound. The assassins quit the prison; and Julian, having thrown his cloak over the dead body of his wife, covers himself with a garment which one of the murderers had left behind him. D'Alba, ignorant of Annabel's death, and exulting in the supposed success of his scheme, returns to the prison. He mistakes Julian for one of his followers; passionately demands

of him; where Annabel has retired, and is appalled, when, after an ambiguous conversation, Julian throws aside his disguise, and at the same moment, snatches from the lifeless body of his wife the cloak under which it had been shrouded. D'Alba is consigned to the hands of justice, and Julian dies in delirium.—Such is the plot of Miss Mitford's play, in the formation of which more attention has been paid to the marvellous, to striking situations, and scenic effect, than is exactly consonant with the true spirit of tragedy.

20. Mr. Ravenga, envoy from the republic of Colombia to this country, was arrested, for a sum of 90,000*l.*, alleged to be due from that government, at the suit of Mackintosh, an army accoutrement-maker.

BANK STOCK.—A meeting at the Bank of England took place, when a proposition by the directors, quite unexpected by the public, for reducing the half yearly dividend from five to four per cent, gave rise to a lengthened discussion. On a division for the old rate, the numbers were 43; for the proposition of the directors, reducing the interest from five to four per cent, 62. The effect upon Bank of England stock was excessive, it fell from 236 to 210. Another amendment for making the half yearly dividend $4\frac{1}{2}$ per cent, was also negatived. The half yearly dividend was therefore reduced from five to four per cent. Bank stock again advanced from 210 to 215.

21. **PARRICIDE.**—At the Enniskillen Assizes, John Keys was indicted for the murder of James Keys, his father, on the 23rd of April 1822, at Shane, in this county.

The first witness called was Ann Keys.—Deceased was father, and prisoner is brother, of witness; prisoner and deceased went out on the morning of the 23rd of April last to make a ditch; they came home and dined together that day; they took out spades with them in the morning; deceased did not return in the evening, but prisoner did, and had two spades with him; the family asked prisoner, where the deceased was; he said he went a little above the house to look for a goat; prisoner supped with the family and went to bed; the family sat up later than usual, waiting for deceased to come in: he never returned; family became alarmed the day before the body of deceased was found; witness told prisoner the day before, that there would be more about it; prisoner replied, he did not value her. It was a little distance from the house where the body was found; could not look at it; prisoner was not present at finding the body; witness has another brother (Thomas), who is not at home, and had not been at home for five weeks before that; witness and family were afraid to make a noise about the murder, lest the landlord should come and distrain for the rent.

John Keys examined.—Is uncle of the prisoner, and was brother of deceased; recollects the time of deceased James Keys's absence; made a search on May-day; went with others to the house of deceased at sun-rise; the door was shut: went in and saw Elizabeth, witness's niece; prisoner came out of his father's house, before witness went to search; prisoner said, he had not seen deceased for eight days before, when he was ditching; prisoner said, deceased went

to look for a goat, or to look for the prisoner's brother in the army; prisoner came out with witness and his party; witness and two others were present, when the body was found in a mountain in a newly-made ditch, which was about eight steps long; there was a march ditch near this, but it had no connexion with it; prisoner at this time was on a hill in view; witness brought a spade from the house of deceased, and began to dig down the ditch; prisoner's sister was present; witness dug down, and on the rim of the ground got a scraw, under which he discovered a body stark naked; it was his brother's body; there were marks of violence between the head and neck as of blows. As soon as witness discovered the body of deceased, he pursued prisoner, who was then out of sight; witness saw prisoner walking by a lough in company with another person; when witness came up, prisoner jumped into the lough up to his shoulders, and said he would drown himself; he would not come out, and said to witness "You accuse me of killing my father; I will never stand on green ground again; no one shall cast up to me, that I killed my father." Prisoner remained upwards of two hours in the lough; when witness and those with him would go away, prisoner would come out to the shore, and when they would return he would go in again; witness told prisoner, if he was an innocent man, to come out and go seek after his father, and that he (witness) would pay his expenses; prisoner began to make his will, he remained in the lough until William Collum, who could swim, came and fetched him out.

James Gordon sworn.—Knew

deceased; was at the place where his body lay about an hour or two after it was found; remained there nearly two hours; prisoner was there all the time; it was about nine o'clock in the morning; went with prisoner to captain Faussett's, the magistrate; had no conversation with him going to the magistrate's, but had a conversation with him in the magistrate's kitchen; the magistrate was not present. There was no hope or expectation of forgiveness, or threat, held out to the prisoner by witness; had not seen the magistrate at the time; there was no constable there; witness walked behind prisoner going to the magistrate's house. Prisoner said, he had helped at killing his father, that he was not the worst nor the first upon him. Witness asked prisoner, who was concerned with him? Prisoner hesitated, then said, "that his eldest brother Thomas had come to him the day before, and that they had agreed to kill their father next day, that they might have his property between them?"

John Corrigan examined.—Knew deceased; was one of the persons who found his body; prisoner was not then in view; the place where the body was found was like a grave, it was covered with a cope sod in a ditch; the body was naked; saw prisoner a few hours after in the lake; saw nothing but his head and shoulders.

Surgeon Leonard examined.—Saw the body at the place where it was found; there were two wounds, one of which seemed to have been inflicted with a blunt weapon, the other with a sharp one; the former was a contusion over the right eye; the latter, a wound on the back of the head near the

neck; there were two ribs fractured. These wounds might have been the cause of deceased's death; but he has seen men more severely wounded recover.

By the Court.—Thinks the death not occasioned by strangulation, but by temporary syncope, and that the man might have been buried in that state, although not dead.

The judge having recapitulated the evidence, the jury retired for nearly half an hour, and returned with a verdict of Guilty.

After sentence was passed on him, the unfortunate man appeared deeply affected, and begged in tears to speak a few words. He said, his brother, who was accused, had nothing to do in the murder: he alone conceived and perpetrated it.

22. At Haddington, in presence of the sheriff of the county, the right reverend George Pretymann Tomline. Lord bishop of Winchester, &c., was, by a jury, of whom lord viscount Maitland was chancellor, served heir male in general of sir Thomas Pretymann, baronet, of Nova Scotia, who died about the middle of last century. His lordship also established his right to the ancient baronetcy of Nova Scotia, conferred by Charles 1st, on sir John Pretymann, of Loddington, the male ancestor of sir Thomas.

24. At the election of a foreign associate, of the French institute, in the room of the deceased Dr. Jenner, the following gentlemen were proposed:—Dr. Wollaston, Dr. Young, M. Olbers, M. Sömering, M. Von Buch, Mr. Lambton, Mr. Brown, Mr. Dalton, and M. Oersted. The number of members who voted was 44, and the ballot was as follows:—Dr.

Wollaston, 38; Olbers, 5; Von Buch, 1. It is remarkable, that, out of nine persons proposed by the institute, from amongst all the learned and talented men of the civilized world, five should be Englishmen.

25. A horrible affair took place in the back apartments, on the third floor, of a house, in the Rue de Vannes, in Paris, where lived a mother, with her daughter, aged 15, and her step-daughter, aged about 21. She was separated from her husband, who was a German, and by trade a tailor, and who, from criminal motives, had constantly opposed the marriage of his eldest daughter. After having breakfasted with the family, the monster, with a large butcher's knife, which he had brought with him, gave his eldest daughter a mortal stab, of which she died in a few minutes afterwards. The young girl of 15 also received from him a wound in the right side; the mother too was wounded in attempting to disarm the murderer, who was secured by the neighbours, whom the cries of the victims drew to the spot, and was by them delivered into the hands of justice.

FRENCH LIBEL.—The affair of the editors of the *Journal du Commerce* and of the *Courier Français* (see page 32) has been decided before the tribune of correctional police. M. Cardon, the editor of the *Journal du Commerce*, was first tried for the article in that paper of March 11, which was denounced to the chamber of deputies by M. Frenilly. The Court condemned Cardon to three months' imprisonment, a fine of 3,000 francs and costs, and ordered, that he should be bound to insert the present sentence in his paper within three days.

The tribunal then proceeded to try separately the accusations against the editor of the *Journal du Commerce* and of the *Courier Français*, for having given an account (without being authorised) of the secret sitting of the chamber of deputies, on the 8th of February, for the discussion on the Address, and for having, besides, excited the citizens to hatred and contempt of the king's government, by attributing to the president of the council of ministers language which he did not hold, viz.—That M. de Villele, replying to Messrs. de la Bourdonnaye and Delalot, had said that the French government has, relatively to Spain, done all it could to favour the insurgents.

The king's counsel, after some observations, prayed for judgment on both the accused, and that they should be sentenced to three months' imprisonment, and a fine of 3,000 francs each.

The Court sentenced Messrs. Cardon and Legraiveux, responsible editors of the two journals, as they refused to give up the names of the authors of the articles, to three months' imprisonment, and to a fine of 2,000 francs each; declared the seizure of the numbers of the 9th of February to be valid; ordered the copies to be torn to pieces; and condemned these editors also in costs.

TRIALS FOR RIOT.—The affair of the young men arrested in the tumults of the 3rd and 6th of March, was divided, and tried by the court of correctional police, on two separate days. On the first six persons were tried; viz. Blochet, aged 40, tailor; Choffard, apothecary's pupil; Arnout, aged 33, merchant's clerk; Evrard, cutler; Diolot, 26; and Claitte, traveller. M. Bellot, the king's advocate, gave a summary

of the grounds of the accusation. Blochet was accused of having violently resisted gendarmes, who wished to hinder him from crossing the Pont Louis seize, and of having insulted, by gestures, a commissary of police, in seizing him by the collar. The others were accused of having added seditious cries to those of "Vive Manuel!" "Vive le Côté Gauche! Vive la liberté." The witnesses being called, most of whom were gendarmes who had assisted in arresting the prisoners, one deposed that Diolot had cried, "Down with the huzzars of the guillotine." M. Blainvillier, a young advocate, in his defence of Choffard, pretended, that the assembly of the 3rd of March was not seditious; and was interrupted by the president, who told him, he was preaching resistance to the armed force, and was defending the sovereignty of the people. After hearing the counsel of the other persons, the Tribune condemned Blochet to 2 months' imprisonment and a fine of 50 francs; Choffard, 8 months and 100 francs; Arnout and Diolot, each 6 months and 50 francs; Evrard, 2 months and 25 francs; and Claitte, 15 days' imprisonment, and 16 francs fine.

LOSS OF THE ALERT PACKET.—"We sailed from Dublin," says one of the passengers, in his narrative of this event, "at half-past eight o'clock on Tuesday evening. There were, as nearly as I can judge, about fifteen passengers, including myself, in the cabin. Among them were three ladies. We had a favourable breeze throughout the night, and made the Welch coast early in the morning. About ten o'clock, however, the breeze died away, and the packet was driven, by the force of the current, towards the

West Mouse rock. Captain Morgan immediately ordered the boat ahead, in the full confidence that it would succeed in towing the packet out of danger. But in this he was disappointed, the vessel being driven by the strength of the tide on the fatal rock. It was about half-past ten o'clock, when she struck. I was in my birth, in the cabin, at the moment. The shock, though not very violent, was sufficient to rouse me. I started up instantly, and found the passengers in the cabin in a state of confusion and alarm. I immediately ran upon deck, and found it in a similar state of confusion. I returned to the cabin, and discovered, with feelings not to be described, that the water had, in the meantime, made its way into it. The confusion and alarm among the passengers below increased with the increasing danger. The ladies were screaming with affright; and even the gentlemen were alarmed at the imminency of the peril. I immediately quitted this scene of horror, and making my way upon deck, ran up the shrouds. At this moment, the water had risen to a considerable height in the hold, and baffled every exertion which was made by the passengers and such of the crew as remained on board to bale it out. I now saw, for the first time, the boat ahead, a short distance from the extremity of the bowsprit, with several of the packet's crew in it. I came down the shrouds, and making my way towards the bowsprit, endeavoured to get into the boat. I was, however, prevented by some of the persons belonging to the packet around me, who stated, that if I were allowed to get into the boat, there would be a general rush towards it, by which

means it would run the risk of being swamped, and thus cut off the only chance of any person being saved. Determined, however, to renew the attempt at a favourable moment, I remained partially concealed in the fore-part of the vessel. Espying my opportunity, when the boat was a yard or two from the extremity of the bowsprit, and when I had seen the last seaman get into it, I ran along the bowsprit, but in attempting to get into the boat, I unfortunately fell into the sea. I was taken up by one of the crew, who pulled me into the boat, being the first passenger who was received into it. At this moment, several other passengers made their way along the bowsprit to endeavour to get into the boat, some of whom succeeded in gaining it, whilst others fell into the water and were drowned. The captain next attempted to reach the boat, by plunging into the water from the bowsprit and swimming towards it. A rope was thrown towards him by one of his crew, which he was so fortunate as to grasp, and was pulled into the boat. As soon as he caught hold of the rope, several passengers, who had plunged into the sea at the same moment as the captain, were observed to cling to his body, in the hope of thereby saving themselves; but such was the crowded state of the boat, which was already almost level with the water, that the crew dared not venture to take any more into it, and they were abandoned to their fate. There were, at this moment, seventeen of us in the boat. When we rowed finally off, we left four or five unfortunate men struggling in the water, with no chance of escape. A boy, about 14 years of age, was

about this time observed to lash himself to a piece of wood and throw himself into the sea, in the hope of supporting himself until the arrival of succour. Just as it was determined to quit the sinking vessel, a man got hold of the gunwale of the boat, to which he clung, earnestly entreating the crew to take him in; but they, fearing that the boat might be sunk by the additional weight on one side, lashed him to it. In this state he remained for nearly half an hour; when the people, finding that he retarded the boat's way through the water (the tide then running strongly against them), deemed it expedient, at all risks, to take him in, which they happily accomplished. During the time we were rowing towards the shore, which was attended with great difficulty and fatigue, the packet was driving fast off the land. She sunk about three-quarters of an hour after we quitted her, and whilst we were in the act of landing. No sooner had the crew landed the passengers who were saved, than they heroically resolved, although the boat was nearly half full of water, to return with all expedition to the spot where the packet was supposed to have sunk. They went accordingly, and succeeded in rescuing three individuals, who had sustained themselves in the sea by some buoyant article, from a watery grave.

"It were in vain to describe the scene of horror which the deck of the packet exhibited, when we were on the point of quitting for ever the multitude which crowded it. It was a scene which would have melted the hardest heart. For some time before that moment, all hope of preservation had been

entirely abandoned; and the unfortunate crowd were awaiting, in awful suspense, the dreadful death which stared them in the face. Many of them had fallen on their knees, and were imploring the mercy of heaven; whilst others were sending up the most piteous and heart-rending screams, which drew tears even from those in the boat, who had some chance of escape. There were many women on board, with young children, to whom they clung with a mother's fondness in this scene of death; the frantic shrieks, extorted by their maternal agony, were most piercing, and were heard, long after the boat had quitted the sinking wreck."

FANATICISM. — A disgusting scene took place some days ago in the village of Truellion, in the canton of Zurich. A dozen individuals, men and women, shut themselves up in a house, under pretext of praying. An hour afterwards a dreadful noise being heard, the inhabitants of the neighbourhood hastened to the spot, and demanded in vain that the house should be opened. Meantime, the tumult increased every moment, the door was at length forced open, and these wretched people were all found stretched on the ground, in various groups, closely embracing each other. They were all arrested. Their depositions presented nothing but instances of deplorable folly; they pretended to be inspired by God, and a girl, who was pregnant, was always the organ by which his will was manifested to them. Some of them were taken to the mad-house.

It was hoped, that the measures, adopted by the government of Zurich, would suffice to enlighten the fanatics, or at least to restrain them within bounds, when the ri-

dicrous scenes, which took place at Truellion, were suddenly succeeded by others that were tragical and horrible. In the night of the 14th, a young female visionary pretended that Buonaparte had appeared to her, and had inspired her with the resolution to die to save thousands of souls. This apparition inflamed the imagination of several fanatics, and the sacrifice was instantly resolved upon. Men, women, and young girls, immediately prepared instruments for the execution, fastened the unfortunate young woman to a board, and, amidst the cries of joy uttered by the victim, they drove nails into her feet and hands—tore her breast—dashed her head to pieces with a mallet—and sang pious hymns to celebrate her death. The magistrates, being informed, hastened to the spot; six of the guilty were arrested.

A sister of this unhappy young woman also perished in the most cruel tortures, a victim of religious rage. Her brother-in-law has declared that he was her assassin, but he pretends to have fulfilled the will of God, and boasts of his crime.

APRIL.

1. **PIRACIES.**—His majesty's ships, *Tyne* and *Thracian*, arrived at Kingston, having captured a piratical schooner, which after a pursuit of many days, sometimes gaining intelligence of her, at others losing all clue to her, they at length got sight of, off Baracoa.

Both ships, disguised as much as possible, to bear the appearance of merchantmen, stood in to close with her. For three hours, the schooner remained unaware of the deception which was practised;

when she crowded all sail and made for the harbour of Mata, where she anchored, with her broadside commanding the narrow entrance of little more than a cable's length in breadth, and displayed Spanish colours. The boats of the ships were instantly hoisted out, manned, and armed, and under the command of captain Walcott, proceeded to ascertain what her real character was; when, at 3 P. M., the boats being within gun-shot, she opened her fire under the Spanish flag, which, after the first shot, was supplanted by the black flag. She had previously landed a body of men to fire from a thicket on one side of the harbour's entrance, which increased the advantages of her already admirable position for defence, and placed our officers and men under an incessant and most galling fire of every description, for upwards of three quarters of an hour, which was sustained with the firmest intrepidity. At length the opportunity for boarding arrived, and with three cheers, our gallant fellows rushed in under a heavy shower of grape and musketry. The panic on board was instantaneous, and the most of her crew threw themselves into the sea.

She proved to be the *Zaragoza*, of about 120 tons, carrying one long 18 pounder on a swivel, 4 long 9-pounders, 8 swivels, well armed, and every way prepared against boarding. Her decks were covered with bottles filled with combustible materials. She had a crew of from 70 to 80 men, chiefly European Spaniards, commanded by Cayatano Anogonez, who, with his crew, fought the vessel with a skill, and until the moment of panic, with a desperate courage, worthy of a better cause.

This vessel was fitted out armed, at the Havannah, in January last, with 50 men on board, for a port towards the east end of the island, and partly laden with merchandize, under the designation of a merchant vessel, armed for self-defence.

The pirates had 10 killed, 15 wounded, 16 taken by the Spaniards, and 28 brought to Port Royal for trial; total, 69.

Many of the remainder are supposed to have been drowned.

The Tyne had 2 wounded; the Thracian 2 wounded, and 2 killed.

An equally gallant exploit was performed by his majesty's cutter, Grecian. On the 20th March, at 9.30 A.M., she observed a schooner close on shore, at the entrance of the river St. John's, Bay of Philipina, on the coast of the island of Cuba; the schooner hoisted a red flag forward, and a white flag, having the bust of a death's head, with marrow-bones, at the main, and instantly commenced a heavy fire from 2 long 18 and 12-pounders, on pivots, and 6 short 9-pounders, all brought over on one side, with a great number of musketry. At 1.5 P.M. the Grecian commenced action, with round and grape shot; and at 1.55, she took the ground in two fathoms water, about half a musket shot from the pirate, at which moment the latter blew up with a tremendous explosion. The Grecian's boat at this time, being manned for the purpose of boarding, instantly put off; the pirates took to their boats for the shore, distant half a cable's length, and had but a few moments to form, when our boats reached the spot; a desperate conflict here took place for a short time, when the pirates flew in all directions, having about 30 killed and wounded; 5 pri-

soners were taken, two of whom died of their wounds. From the information of the prisoners on board, it appeared that the schooner's name was La Gata, of 90 tons, commanded by a person named Joseph Sabina, a notorious pirate, with a complement of 90 men; she also had a felucca, with four carriage guns and 27 stand of arms, and two other boats, with a mounted swivel in each, and 24 stand of musketry, all of which were in the action.

CONVICTS.—Mr. Capper, the superintendent of the convict establishment, has reported to the secretary for the home department, "that a vast number of the convicts, of late received on board the hulks, have brought with them, from the respective gaols, such reports of bad character, that but slight hope of reformation can be looked for by their detention in any establishment in this country." On the 1st of January, 1822, there were 2,807 prisoners on board all the convict ships; since that period there have been received from the respective gaols 2,200 (being 550 less than in the year 1821). During the year, 1,470 have been transported to New South Wales (being 550 less than the preceding year); 85 have been removed to the Penitentiary; 367 discharged by pardon, or otherwise; five have escaped, and 49 have died; leaving 3,031 prisoners in confinement in the several dépôts on the 1st instant.

3. SWEDENBORG'S SKULL.—A letter of this date, signed "J. T. Hawkins," and addressed to the editor of the Times newspaper, gives the following particulars with respect to the adventures of Swedenborg's skull: "Captain Ludvig Granholm, of the royal navy of

Sweden, called on me, near the end of the year 1817, invited me to his lodgings, and showed me a skull, which he said was the skull of Swedenborg. He informed me, that, a few days before, he had attended the funeral of one of his countrymen, into the vault under the Swedish ambassador's chapel, in Prince's-square, Ratcliffe-high-way; that he remained there a short time with others, looking at the inscriptions on various coffins; and that, on reading the name of the honourable Emanuel Swedenborg, and observing that the coffin lid was loose, he was seized with the idea of making a large sum of money, by taking the skull, and selling it to some one of Swedenborg's followers, who, he had heard, amounted to many thousands in this country, and amongst whom, he imagined, there would be much competition for the possession of so valuable a relic. He watched his opportunity, lifted the lid, took out the skull, wrapped it in his pocket handkerchief, and carried it out of the chapel unnoticed.

"I informed captain Granholm, to his great disappointment, that the members of the New Jerusalem church reprobated the possession of any religious relic, and more particularly a part of a dead body, which, they believe, will never more come into use, the soul remaining, after death, a complete and active man in a spiritual body, not to be again fettered with material flesh, blood, and bones.

"Captain Granholm died a few months afterwards in London, without having disposed of the skull, and without having left this country.

"A very curious circumstance occasioned the coffin lid to be loose. About the year 1790, a Swedish

philosopher, then in London, who was a great admirer of Swedenborg's philosophical writings, but had no relish for his theological opinions, became acquainted with some of the members of the New Church, and warmly opposed Swedenborg's tenet—that the soul takes a final leave of the material body at death, and enters on its new scene of superior activity in a spiritual body more suited to obey its energies. The learned Swede endeavoured to persuade them, that all great philosophers had, by virtue of their profound wisdom, the power of taking with them into the world of spirits their natural bodies; and he asserted his full conviction, that Swedenborg, whom he considered one of the first philosophers, had taken away his body out of the coffin.

"In order to convince the Swede of his error, leave was obtained to have the coffin opened; when, to the utter confusion of the philosopher, the body of Swedenborg was presented to view. The lid was merely laid on, without being re-fastened, and thus was afforded the facility of which captain Granholm availed himself 27 years afterwards."

CHINA.—(*From the Pekin Gazette*).—"It has been stated to his majesty, that a foreign tribe of shepherds on the north-west corner of China, included in the province of Kansuh, have suffered severely from a fall of snow. The people in lighthouses have perished by it, and the whole of their cattle. Ninety-two families yet remain, and on these the emperor commands that there shall be no duties levied for three years to come.

"Chagn, the judge of Shan-tung and conductor of the English embassy when in the province of

Chin-lee, has been degraded to a very low rank, accompanied by some very severe animadversions from the emperor for his incapacity and bad government.

"The emperor himself has attended to the examination of the higher departments of the literati this year, and has heard them read in various classical authors. As might be anticipated, some have been promoted, and others have been degraded to a very low rank.

"His majesty has also examined the progress made by his fourth son, a lad of fourteen years of age, and is much disappointed to find him quite unable to write verses. The emperor remembers well, that his august father, the late emperor, examined him when he was thirteen years of age, on which occasion verses were daily composed by him. His majesty attributes the present failure to the prince's tutors, and has ordered a complete set of new masters."

4. TAUNTON.—Much curiosity was excited by the appearance of the names of three females in the calendar, on a charge, under lord Ellenborough's act, of maliciously cutting and stabbing an old woman, a reputed "witch," with intent to murder her. The grand jury, however, after consulting the judge, threw out the bill on the capital charge of maliciously cutting under lord Ellenborough's act, and returned a true bill against

Elizabeth Bryant, the mother, aged 50, Elizabeth Bryant, the younger, aged 22, and Jane Bryant, aged 15, the two daughters, for having maliciously assaulted Anne Burgess.

Mr. Erskine stated the case to the jury. The parties resided at Wiveliscombe, in this county, and the prosecutrix was a very aged

woman. The elder prisoner was a married woman, residing in the same neighbourhood. She had three daughters, who lived with her, two of whom were prisoners at the bar. One of these had been afflicted by fits, which the mother firmly believed were the workings of some malignant spirit; and in order to counteract or break the spell, she applied for advice to a reputed sorcerer, named Baker, residing and exercising absolute sway in a remote part of Devonshire. This fellow told her, that her daughter was bewitched by a particular person in their neighbourhood, and that, to get rid of the charm, it was necessary to draw blood from the witch, and to cause a preparation, of which he gave her the recipe, to be burnt, with certain ceremonies and prayers. Whether from a staid deportment, reservedness of manners, or old grudge, did not appear, but the prosecutrix was immediately fixed upon as the witch, and was published as such throughout the town of Wiveliscombe, by the elder prisoner, who positively declared, that her daughter had been bewitched by her for more than 12 months! The prosecutrix, alarmed at the general impression which appeared to be raised against her, went on the night of the 26th of November, to the house of the elder prisoner, whom she met in the dark passage of her house, and said, in a very simple manner, that she came to know the foundation of the reports, which had been circulated respecting her. The prisoner viewed the visit as a providential one for executing her purpose of drawing blood, and, with horrible imprecations, seized the old woman. The two daughters, upon hearing the noise, rushed out, and instantly

fell upon the prosecutrix, who was dragged to the floor, and one of them fetched a nail as the first thing in the way, and began to lacerate the old woman's arm in the most ferocious manner, whilst the other two held her.

The reputed witch, Ann Burgess, was first called. She was a fine, hale-looking old woman, 68 years of age, of rather imposing gravity. She deposed—"I know the prisoners, the mother and the two daughters. They live about a quarter of a mile from me. On the 26th of November I went to her house (Mrs. Bryant's), and met her in the passage, which is dark. I said, 'Betty Bryant, I be come to ask you a civil question, whether I bewitched your daughter?' She said, 'Yes, you have, you d—d old witch; you have bewitched her for the last twelve months;' and she said, she was 10l. the worse for it, and she would be totally d—d, if she would not kill me. They all came out together, and fell upon me. The little daughter drew out my arm and held it, whilst one of the others cut at it. The eldest of them said, 'Bring me a knife, that we may cut the flesh off the old wretch's arms.' They tore my arms all over with an iron nail." The old woman here described the manner, in which the prisoners performed the operation. She was ill from the wounds on her arm; there was a woman who accompanied witness, who came in and dragged her away from their fury. It appeared, further, that witness and her friend cried out "murder" as loud as they could, and a mob assembled in the street round the door; but they did not choose to interfere, because the old woman, on whom the prisoners were exercising their

fury, was a witch. Two of the prisoners, the mother and the elder daughter, continued to hold the old woman as she struggled on the ground for her life (as she expressed it), whilst the younger daughter, with the first instrument which came to hand, a large nail, lacerated her arm in a dreadful manner. This was done for nearly ten minutes, the mob standing by nearly the whole of the time; and the old woman was rescued only by the vigorous efforts of her companion. She did not doubt, that if a knife had been in the way when she presented herself at the door, she would have been murdered.

Cross-examined.—Do not the people of Wiveliscombe account you to be a witch?

The old woman (with great agitation)—"Oh dear! oh dear! that I should live to be three score and eight years old, and be accounted a witch at last. Oh dear, what will come of me?"

"Well, it is very hard, certainly; but do they not account you to be a witch?"

It was some time before the old woman could give an intelligible answer, but she said, that she had never been accounted a witch in her life (God forbid) by any one, before the prisoners circulated about the town that she was so, and had exercised her infernal influence over one of them. She always tried to live righteously and peaceably, without doing any harm to any one. She was greatly afflicted at the injurious supposition.

The apprentice to Mr. North, surgeon at Wiveliscombe, deposed, that, on the night in question, the prosecutrix came to him to dress her arm, which he found dreadfully lacerated. There were 15

or 16 incisions upon it, some about a quarter of an inch deep, and others an eighth of an inch. They were from two to three inches and three inches and a half long. She bled very severely. Witness dressed her arm, and as she was very healthy, it got well fast. She was ill for more than a month in consequence of the attack. Her arm was still bound up.

Elizabeth Collard deposed, that she was an acquaintance of the elder prisoner, and met her on the morning of the day on which the assault took place, not having seen her before for a long time. Witness said, "We were talking about our troubles, when she told me that her troubles were greater than mine or any body's troubles, for they were not mortal troubles. She said, her daughter had been bewitched for the last 12 months, and that she had been to consult old Baker, the Devonshire wizard, about her case, who had given her a recipe against witchcraft, and told her, that blood must be drawn from the witch to break the charm. She said that old Mrs. Burgess was the witch, and that she was going to get blood from her. She was in such a way, that I thought she would have gone immediately to Mrs. Burgess to have drawn blood, but I advised her not to do so, and to let old Baker punish her if she was really the witch."

Mr. Justice Burrough.—Who is old Baker?

Witness.—Oh! my lord, he is a great conjurer, the people say. He is a good deal looked up to by the poor people in these parts.

Mr. Justice Burrough.—I wish we had the fellow here. Tell him, that if he does not leave off his conjuring, he will be caught and charmed in a manner that he will not like.

The witness resumed.—"I pitied the woman, she was in such a world of troubles: and besides that, she has had a great many afflictions with her family, but she appeared to feel the bewitching of her daughter very deeply. I asked how the witchcraft worked upon her, when she told me that when her daughter was worked upon, she would dance and sing, just as if she was dancing and singing to a fiddle, in a way that there was no stopping her before she dropped down, when the fiend left her. Whilst the fit was upon her, she would look wild (wild or affrighted), and point at something, crying, 'There she stands! There she stands!' (the witch). I felt for the daughter very much. Her state is very pitiable, my lord."

The jury then found all the prisoners Guilty.

The sentence was, that they should be each imprisoned in the county gaol for the space of four calendar months.

The following is a copy of the amulet which the man Baker gave to the poor dupes to wear, as a charm against witchcraft, and also of the recipe or direction for breaking the charm:—

"The gar of mixtur is to be mixt with half pint of gen (i. e. gin), and then a tablespoon to be taken mornings and at eleven o'clock four and eight, and four of the pills to be taken every morning fasting, and the paper of powder to be divided in ten parts, and one part to be taken every night, going to bed, in a little honey."

"The paper of arbs (i. e. herbs) is to be burnt, a small bit at a time, on a few coals, with a little hay and rosemary, and while it is burning, read the two first verses

of the 68th Salm, and say the Lord's Prayer after.

(Signed) "B. BAKER."

The time at which all this was to be done was midnight, and with other attendant ceremonies and circumstances, for which he gave instructions. The verses, with which the incantation was to be completed are the following, which, it will be agreed, are well chosen for effect :—

Exsurgat Deus, &c. "Let God arise, and let his enemies be scattered: let them also, that hate him, flee before him.

"Like as the smoke vanisheth, so shalt thou drive them away: and like as wax melteth at the fire, so let the ungodly perish at the presence of God."

As the preparations were taken by the ignorant creatures, it could not be ascertained what they were, whether medicinal or mere rubbish. After the rites had been all performed, such was the effect upon the imagination of the girl (aged 22), who fancied herself possessed, that she has not had a fit since. The act of drawing blood from the supposed witch remained to be performed, in order to break the charm entirely, and to prevent it from returning, which horrible ceremony was soon performed in the manner stated.

11. Captain Henry Dixon was travelling with a friend, and was within about three quarters of a mile of Faenza, when, about eight o'clock in the evening, their carriage was stopped by a band of foot-robbers. The travellers were dragged to the ground, and with knives at their throats, were told that they would be murdered, if they moved an inch, or made the least noise. While in this situation, the banditti rifled their car-

riage, and took out of the pockets, notes and gold to the amount of 335*l.*, with a number of drawings and presents, intended for the friends of the travellers in England. The villains then made off, and escaped with their booty.

RUSSIA.—Letters from Petersburg, of this date, state, that, on the preceding day, a government official was affixed on the exchange, warning the merchants not to carry on any commercial transactions with Spain and Portugal, and particularly not to send any vessel thither. The same letters mention a curious instance of disaffection to the Russian autocrat among the peasantry of the government of Witepsk, who, though recently released from bondage, and invested with a right to the produce of their own labour, have had the ingratitude to answer this benefit by a refusal to pay taxes. They have even gone so far, as to insult an imperial agent sent thither to remonstrate with them, and have had the audacity to address a letter to the empress dowager, in which they accuse the emperor himself of injustice! It has been found necessary to despatch troops to the province, to put down the rising disaffection.

ANTIQUITIES.—In making some repairs near the Monastery of St. Lucia, at a very small depth in the ground, the workmen found a finger and a fragment of the arm of a statue. This gave occasion to further searches; and on digging to the depth of only a few palms, five statues, of the size of life, were discovered among some rubbish. Three of these statues are Fauns in different attitudes: one, a Silenus; and the fifth represents one of the Appiades. The most perfect of the Fauns has the head:

the others, and the Silenus, want the head, or some other parts, which, it is hoped, will yet be found. The workmanship is extremely beautiful, and the original lustre of the surface is still preserved. There have also been discovered, a column of dark brown colour, about two palms in diameter; another smaller; and part of an ancient wall. On exploring the interior of this wall, to the height of about ten palms, and in breadth to about two and a half, it was found to be faced with marble. The pavement before it is entire, and is constructed of marble of various colours and forms. At the distance of about eight palms from this wall, the plinths of the first mentioned column, and of two others, were found. It appears that, at this spot, there had been a portico with statues, which had been thrown down towards the road, which is the direction of the fragments, and the bricks of the ruin. By prosecuting the digging, the other sides of the building and its ornaments will, perhaps, be found; and we shall then learn the dimensions of the edifice, which doubtless was rich in specimens of the fine arts. About this monastery, and that of San Martino, there exist considerable remains of ancient public works, which, according to the opinion of antiquaries, belonged to the baths of Trajan.

OXFORD CIRCUIT.—The following correspondence has taken place on the subject of Mr. Curwood changing from the Home to the Oxford circuit :—

London, March 5, 1823.

Sir ;—I presume to address you as leader of the Oxford circuit, to state what perhaps may have already come to your knowledge—

VOL. LXV. .

my wish and intention to join that body. As I know this step is not a usual one, at my standing at the bar, I feel it due to you and the other gentlemen of the circuit, to inform you of the motives which have induced me to adopt it. I have lately succeeded to some small landed property in the county of Worcester, and it is my wish to reside upon it, which I find I cannot accomplish, and continue on the Home (a distant) circuit; for if I continue there, I shall never be able to reach home until the month of August, after the summer circuit; and perhaps not for a single day in the spring. Under these circumstances, I must either abandon a place to which I am much attached, or change my circuit for the Oxford. I am making a considerable pecuniary sacrifice by the change, which repels the presumption of any capricious or mercenary motives; being, indeed, only actuated by a wish to increase my domestic comforts in my new arrangements. I have deemed it right thus to apprise you of my intention, and the reason of it, trusting that you and the other gentlemen of the circuit will not object to receive me into your society. I remain, your's,

T. Jervia, esq. J. CURWOOD.

Worcester, March 10, 1823.

Dear Sir ;—I have taken the earliest opportunity of laying your letter to me of the 5th inst. before the members of the Oxford circuit, and have it in command from that body to transmit you the following answer thereto :—“ At a general meeting of the Oxford circuit, assembled at Worcester on the 10th of March, 1823, Mr. Jervia having communicated to the members of this circuit, now assembled at the circuit table, a letter of the 5th

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inst. from Mr. Curwood to him, intimating his intention of joining the Oxford circuit, the same was taken into consideration ; when it was resolved unanimously, that, considering the standing of Mr. Curwood at the bar, and the length of time that he has been a member of another circuit, the members of the Oxford circuit cannot, for the reasons stated in Mr. Curwood's letter, consistently with the known rules of the profession, consent to receive him as a member of their body ; and that Mr. Jervis, as the senior member of this circuit, be requested to signify this resolution to Mr. Curwood." I have the honour to be, dear Sir, your obedient servant,

J. Curwood, esq. T. JERVIS.

Worcester, March 11, 1823.

Dear Sir ;—This morning I received the letter, which you did me the honour to address to me, in reply to one to you on the subject of my intention of joining the Oxford circuit, and in which you transmit to me the resolution of the circuit upon that matter. By the copy of that resolution it appears, it was resolved unanimously, " that, considering my standing at the bar, and the length of time I have been a member of another circuit, the Oxford circuit cannot, for the reasons stated in my letter, consistently with the known rules of the profession, consent to receive me as a member of their body." As a preliminary observation, I must express my surprise, that such a resolution should have been unanimously adopted ; because to several of the members of the Oxford circuit, whom I saw in court, and who, I presume, formed a part of the table which joined in that resolution, I had long ago, and on many occasions, in Westminster-

hall, stated my intention, and the reasons for it as given to you in my last letter, and who professed to me, that they thought those reasons sufficient and satisfactory. Indeed, it is now above twelve months since I first made known my intentions, and but from one man did I hear an objection to it, on the ground of violating any professional rule. He had the frankness to tell me, that he thought it would be irregular, and if asked, would state such to be his opinion. As his vote is consistent with his avowed opinion, I will name him—Mr. Campbell. But to the more important matter: the resolution states, that the members of the Oxford circuit cannot admit me because my change of circuit, under the circumstances, is inconsistent with the known rules. This, sir, is putting the matter upon a short and clear issue. If I have violated any known rule of the profession, I deserve reprehension, whether I have done it in ignorance or not, for I ought not, at my standing, to be ignorant of any known professional rule ; but if there be a known rule, it must be a certain rule, I presume, and not subject to the arbitrary construction of those who may be interested parties. I need hardly recall to your mind what is said by a great master of our profession, of the miserable state of those *ubi jus est vagum aut incognitum*.

Is there, then, any known certain rule ? If so, where is it to be found ? It must be either in former recorded resolutions of the profession, in precedent, or in general understanding. I did not adopt the step I have taken hastily. I made every inquiry as to the rule ; recorded resolutions I could find none ; precedents, of course, can-

not be many, because no man, who has acquired business in one circuit, will abandon it to begin again in another, unless he has motives from other causes out of the profession, to which he looks for compensation for his loss; but with respect to length of standing at the bar, I can state one precedent on the home circuit (with whose history I am best acquainted). Sergeant Kempe came from the western to the home circuit, and at once took the lead of it. I have also heard, that Lord Loughborough first went the northern, after he had obtained a silk gown. With respect to general understanding, I found the rule to be so variously understood, that I could arrive at no certain conclusion. With some it was understood to be an absolute right to change once — others thought, that any change in a man's own peculiar circumstances was a sufficient justification. That a man has a right to change his circuit, has been a thing so often done, that no one doubt can exist upon the understood right in the abstract, but at what standing, or under what circumstances, are wholly undefined, or at least as far as I can learn. The only conclusion I could come to, was one as stated by a gentleman of rank on this circuit, who, on speaking to me on the subject, observed, "that in his opinion, it was entirely a matter of feeling, to be decided on the peculiar circumstances of each individual case." It was upon this last principle, that I acted: I felt I was not influenced by any unworthy motives, or taking advantage of any peculiar circumstances in the circuit, against the junior members of it; and although I hope I shall ever be open to conviction if I am in error,

yet if it be a question to be decided upon correct feeling, I shall always feel, decide, and ultimately act for myself. I will not condescend to make professions of the purity of my motives; I boldly appeal to the whole conduct of my past life, private and professional, as a voucher for the soundness of my intentions; and if it becomes a question between me and others, as to the correctness of those feelings, or that conduct, general opinion must decide between us. I have thus, sir, gone more into detail of the question between me and the Oxford circuit. If there be any known rule as the resolution asserts, I shall not presume to infringe it; but I wish to convey to the gentlemen of the circuit, and my most anxious wish is to do it in manner and language as respectful as any body of gentlemen can require from an equal, that I will not abandon, but firmly maintain, a right for myself and others who may be in like circumstances hereafter, until the asserted known rule of the profession is distinctly proved to exist. I am extremely sorry, that you should be the channel of what, to me, is a painful communication, but, trusting to your polite attention and former friendship for pardon, believe me, sir, ever your's respectfully.

J. CURWOOD.

To T. Jervis, esq.

Stafford, March 14, 1838.

Sir,—I have the honour to communicate to you the following resolution of the Oxford circuit:—
"At a meeting of the Oxford circuit, holden at Stafford, at the circuit table, on the 14th March, it was unanimously resolved, that the members of this circuit, having considered the answer of Mr. Curwood to Mr. Jervis's letter, see no

reason for receding from the resolution passed at Worcester, and therefore cannot recognise Mr. Curwood as a member of this circuit." I have the honour to be, sir, your obedient servant,

T. JERVIS.

To. J. Curwood, esq.

Stafford, March 15, 1823.

Dear Sir; I have been in doubt, whether I ought to reply to your note, conveying to me the last resolution of the Oxford circuit, in answer to my second letter. Upon the best judgment I can form, I think it is due to you, sir, to state my feelings on the subject. I certainly expected, that in a case where it was matter of controversy, as to the existence, extent, and applicability of an alleged professional rule, the question should have been properly referred to the profession at large, or to the seniors of each circuit; but, as the Oxford circuit themselves, being parties, choose also to be judges in their own cause, I cannot implicitly bow to their decision. I shall, therefore, myself, next Term, submit the correspondence between us to the members of the profession at large, and shall regulate my conduct according to their judgment, as far as I can collect it.

I do not address this letter to the circuit, and I trust you will believe me, when I say it is meant as a mark of respectful attention towards yourself. With much regret, that you should have had, what I know you have felt to be, an unpleasant professional duty between me and the circuit, believe me, sincerely yours, with great respect.

J. CURWOOD.

T. Jervis, esq.

My dear Sir;—I have perused with great pain the correspondence

between you and Mr. Jervis. I am certainly not aware of any known rule on the subject of changing the circuit, and I can truly say, that I should not have thought it objectionable for a gentleman, situated as you are, to change from the Oxford or any other circuit to the home. I am, dear sir, ever yours.

A. ONSLOW.

April 17, 1823.

20. RUSSIAN ENCROACHMENTS.—(*From the "Boston Sentinel" of this date*).—Information has been received that the brig Pearl, of Boston, has arrived at the Sandwich Islands, from the north-west coast, having been ordered off by the Russian officer commanding at Norfolk Sound. After leaving the port, the Pearl was boarded by the Russian frigate Apollo, and documents were presented to her captain, declaring the Russian claim of exclusive jurisdiction to extend to latitude 51 N. on the N. W. coast of America, northward of Behring's Straits, and thence to latitude 47. 50. N. on the coast of Japan; and that all vessels, of whatever nation, found within 100 Italian miles of those extensive limits (except in cases of actual distress) will be subject to confiscation; national vessels not excepted. The Apollo was about to despatch vessels, and also to proceed down the coast, for the purpose of ordering all vessels off. Two other large Russian frigates were on their way to the coast. It has been often mentioned, that Russian ships had sailed for the north-west coast to carry into execution the arbitrary ukase, but the above is the first information received of its actual execution by a Russian force.

21. The New York Evening

Post of this date contains a long correspondence between the American commodore Porter, and the commandant of Porto Rico, on the subject of the death of lieutenant Cocke, commanding the American schooner Fox, who was killed by a discharge of a cannon from Fort Moro, while persisting to enter the port, after a previous discharge with a blank cartridge to prevent him. The commandant, who was absent at the time, attributes the rigorous execution of a positive order by the second in command to the alarms excited by the previous bucaneeing expedition against the island, from an American port, under the command of the adventurer Ducodray Holstein, as well as to rumours of other intended designs against Porto Rico. Commodore Porter is very lofty in his expostulation, and the Spanish commander very deprecatory.

KING'S BENCH. — *Novello v. Tomgood*. — The question in this case was, whether a chorister in the chapel of the Portuguese ambassador, residing in a house separate from that of the embassy, letting part of his house to lodgers, and engaged as prompter at the Opera-house, and as a teacher of languages, has a right of action, if his goods are distrained for rates, taxes, or rent.

Mr. E. Lawes urged, that the privileges never extended to any goods but those of the embassy, and that the seizure of the plaintiff's property could not deprive him of the ability to perform his accustomed duties. Their loss would not affect his voice, nor injure his musical skill. It would be perfectly monstrous, if a person in such a capacity could take houses apart from the ambassador, let them to lodgers, and then evade

the payment of rent and taxes, on the pretext that the rights of the ambassador rendered his property as well as person inviolate.

Mr. Campbell, in reply, contended, that no distinction had yet been taken between the person and the goods of a person attached to the ambassador's suite. If the property of a person in the confidence of the ambassador were subject to process, the despatches from his court, and the dresses appointed for his suite, might be taken by the sheriff of Middlesex, when immediately requisite for the purposes of the embassy.

The Court gave judgment for the defendant on this single ground, that the privilege claimed was not at all essential to the performance of those services, which the plaintiff was bound to render. They would sustain the privileges of an ambassador, so far as they could contribute to his convenience, construing that convenience in regard to his rank, his office, and his religion; but it was the privilege of the ambassador, not of the servant; and it was impossible that any ambassador could desire, that a person, engaged occasionally to afford him certain assistance, should protect himself from liability to contribute to the support of the revenue, or to the burthens of the parish in which he resided. Such a construction would be contrary to every principle of the law; the ambassador could suffer nothing by the seizure of these goods under process of law, and therefore a nonsuit must be entered, as the plaintiff had no ground of action.

25. ADMIRALTY SESSIONS — OLD BAILEY. — Marinel Krans, aged 87; Carle Kalke, 80; Jan Schmidt, 31; Jacob Robileau, 26; Jan Lamspe, 33; Martin Kape,

34; Jan Vanness, 22; Jan Jenner, 22; Jan de Friese, 26; Vollen Marae, 32; Kiest Molinaar, 24; Kendrick de Bragne, 25; Jan de Frenchberg, 38; Jonathan Vandyke, 24; Jan Crat, 55; Hendrica Allerson, 25; Jan de Frenark, 16; Cornelius Reyms, 38; Abram de Molinaar, 24; John Harrison, 27; William Dangerfield, 18; all stated to be natives of Flushing, Middleburg, and Trefaar, and by profession fishermen and mariners, were put to the bar on an indictment consisting of 12 counts, the principal charging the prisoners with maliciously shooting into the Badger, a vessel in the service of his majesty's customs, off Dungeness, within fourteen leagues of the county of Kent, on the 13th of January last, and killing James Harper and Wm. Cullam, officers of his majesty's customs.

All the prisoners, except the first six, pleaded in English, which language they appeared tolerably well acquainted with.

When the case for the prosecution was closed, the prisoners, on being called upon for their defence, said, they would leave it to their counsel; with the exception of Reyms and A. Molinaar, who handed in written papers. Before these were read, however,

Dr. Lushington rose to offer objections in point of law to the present proceeding; contending, that the Badger had no right whatever to search the vessel in question, and that the attack made by the former was illegal, and not authorised by any existing statute.

Mr. Justice Park said, that it was the intimation of the Court to reserve these points for the consideration of the twelve judges.

26. At ten o'clock the Court sat

and proceeded on the trial. Mr. Justice Park asked Mr. Brougham (in the absence of Dr. Lushington), whether he wished to have two papers, put in by Dr. Lushington, read.—Mr. Brougham replied in the affirmative. The papers were accordingly read. The first was a defence addressed to the Court by Reyms, stating that he was employed on board the Four Brothers as pilot on the day of the engagement, and took no part in it. The second was from Krans, master of the Four Brothers, and stated, that the Four Brothers belonged to Flushing, and that he was directed by the master to land the cargo on the coast of Spain. It denied the right of England to bring a Dutch vessel to, on the high seas in time of peace, or that any law made in this country could bind the subjects of another country; and asked, supposing the French to have made a similar law, would the English submit to it?

John Belia.—Witness is a ship-broker, well acquainted with the Dutch language and ship's papers; the papers produced (six in number) were the regular papers of a Dutch ship, the clearance stated that the Four Brothers was bound to Ferrol.

James Lowes.—Witness is a ship-builder at Flushing; he built the Four Brothers; she was launched last October; he sold her to Mr. Inglebert, a Dutchman, who lives with his family at Middleburg; proved the receipts he gave for the price of the vessel; after he sold the Four Brothers, Krans and Carl Kalke rigged her.

On his cross-examination, he said he lived 35 years at Sandgate, and knew Joseph Wells, who is now called Reyms, and one of the prisoners.

Bowing Dettering was examined through an interpreter.—Witness is a native of Middleburg, and merchant there. Mr. Inglebert is a merchant there, and a native. Knows the vessel called the Four Brothers: a cargo of tobacco, gin and tea, was shipped on board her in January last, by merchants of the firm of Mintin and Co., one-third on account of witness. She cleared out for Ferroe, a Danish island, but her real destination was Ferral, Portugal. Orders were given to the master to proceed to Portugal, and a letter was given him, to be delivered to a house there, which letter contained directions to sell the cargo and send the amount by the captain in cash. Directions were given to the master to take a pilot, as he was not sufficiently acquainted with the channel. Witness saw Mr. Inglebert on the 15th of this month, at Middleburg; he was very ill, quite unable to come to this country. Witness produced the invoice of the cargo, received from Mintin and Co., by whom it was shipped. He paid for his one-third of the cargo to Inglebert.

On his cross-examination, the witness said, he had dealt in spirits and tobacco for 20 years: shipped spirits in small casks and bottles, and tobacco in small parcels. The vessels in these cases were never sent to England or Ireland, nor the cargoes intended to be smuggled into England or Ireland.

Van Oldenbeck, examined through the interpreter.—Lives at Flushing, keeps a lodging-house, and is a carpenter; has known Cornelius Reyman seven years who lives in Flushing with his family, and is known there by the name of Joe Wills; thinks him an Eng-

lishman; he gets his living as a seaman; knows Cusing was a sail-maker in Flushing, and came from Ostend; as far as witness knows, both Cusings are Englishmen; the register of baptism was kept in the town-house of Flushing, which was burned to the ground by bombardment; knows Abram de Molinaar, the prisoner, he is a native of Flushing; the prisoner, Robileau, is a Dutchman; never heard him speak any other language; Schmidt is also a Dutch sailor; his father was an Englishman, but lived at Flushing; knows Kiest de Molinaar; he is a native of Flushing; has known one of the prisoners by the name of Wills seven or eight years; his father lived at Flushing 28 years ago, and had children living with him; he was an Englishman.

Conrad Conrad.—Witness is a seaman living at Flushing, of which he is a native; he has known Joe Wills four years; he is a sailor and a burger of Flushing, having a wife and family living there. Has known Thomas Cusing in Flushing eight or ten years. His grandfather was a sail-maker in Flushing.

Sarah Curtis, examined by Mr. Brougham.—Is an English woman; lived in Flushing these 29 years; married Abraham de Molinaar, the father of Kiest de Molinaar, the prisoner, who is her son; he was born at Flushing, and brought up to the sea, and followed it ever since.

Richard Wills lives in Folkestone: is son of Richard Wills, of Folkestone, who was a mariner; remembers his mother going to Holland with his father. Witness was then eight years old; his mother brought a young son with her on her return; witness identified

the prisoner Reynas as his brother, who was then brought to England by his mother.

Isabella Wells examined.—Geo. Wells, her husband, was an invalid on board the *Severn*; in January she attended him. The wounded men from the *Four Brothers* were brought on board. One of them, who has since died, raved very much; it was mostly in a foreign language.

Daniel Milton lives at Folkestone. The prisoner called Volkin Maree is his son, and was born in Flushing in the year 1789; witness lived there at the time for four years. Witness came home in the year 1790; after which England was the prisoner's home.

Ann Boxer lives at Folkestone. Hancock Allister, the prisoner, is her son, and was born at Ostend about 40 years ago; her husband was a seaman, and she at that time stayed in Ostend for 18 months, during which time her husband sailed from that port.

On her cross-examination, she said she returned to England when her son was six months old; he had been baptized at Folkestone, where he lived ever since, except when at sea.

Wm. Boxer proved, that he was master of a vessel in the year 1788; the father of the prisoner Boxer was one of the sailors; he took his wife to Ostend in that year, where she lived for some time.

Thomas Small was a quartermaster on board the *Severn* in January; saw Vaaneas, who was deranged before he died, and raved sometimes in English, and sometimes in Dutch.

Mr. Brougham mentioned to the Court, that the counsel for the defence had now closed the evidence on national character.

After some conversation amongst the counsel for the prosecution, Mr. Nisan was called up and examined by Mr. Justice Park.—The *Badger* was 9 or 10 miles from the coast of France when they first saw the *Four Brothers*, and 18 or 14 leagues off the English coast when she came up with her; the *Four Brothers* was not at that time, while in his view, nearer the coast of France than 9 or 10 miles.

—Popplewell stated, that when the *Four Brothers* was first seen, she was about three or four leagues from the French coast; she was at no time nearer.

James Harper and Charles Brett corroborated this fact.

The defence proceeded.

—Fouche examined.—Is a Lieutenant of the French customs at Marlemont; he saw the engagement between the two vessels on the evening of the 18th of January, about eight o'clock; they were about one league from the shore; he made a report to his chief the day after.

Marce de Mouton saw two vessels near the French coast on the 18th of January; they were about one league distant from Marlemont; they fired at each other: he could not see whether they had colours flying.

Mr. Justice Park charged the jury, and recapitulated the whole of the evidence. There were two things which, if found, would entitle the prisoners to acquittal: the first was, that no part of the vessel, which the prisoners navigated, belonged to any subject of his majesty; the other, that one half the crew were not his majesty's subjects. For if neither of these facts existed, his majesty's ship had no right to fire at their vessel: but if the jury believed

that either any part of the vessel was British property; or that one-half of her crew were British subjects, then his majesty's ship the *Badger*, under the circumstances that had been proved, being on her duty, and having her proper colours flying, was justified in boarding their vessel; and their making resistance, by firing at the *Badger*, was a capital offence. The reason for which the evidence respecting the distance of the vessels from the French coast had been given was, because, by the law of nations, the ships of war of any power are not permitted to attack, in a hostile manner, any vessels within one league of the coast of any other power in time of peace; but the evidence given on that point could not leave any doubt on the minds of the jury, that the vessels were more than a league distant from the French coast at the time the *Badger* required the Four Brothers to come to, and could not form any justification of the conduct of the prisoners. His lordship made several observations on the evidence given to prove, that a majority of the prisoners were English subjects, which, in his opinion, greatly preponderated over that which had been produced to prove the converse of that fact. He concluded by directing the jury to find a special verdict upon the points he had mentioned.

In answer to a question from a juror,

Mr. Justice Park said, that persons born in this country of foreign parents were clearly amenable to the laws of England.

Lord Stowell.—“And the same may be said of the children of British parents born in other countries. They owe an allegiance to the parent state, and are also

amenable to the laws of the country in which they reside.”

At five o'clock the jury retired, and having deliberated for two hours, returned a verdict of *Not Guilty*, for all the prisoners; finding that the ship and cargo were wholly foreign property, and that more than one-half of the crew were foreigners. The announcement of the verdict was received with shouts of approbation by the crowd assembled in the court-yard.

The prisoners were then given in charge to the jury on an indictment for murder, for which a bill had been found in consequence of one of the *Badger's* crew (*Cullum*) having been killed, and no evidence being offered, they were immediately acquitted.

CAPTURE OF THE SPANISH MERCHANT SHIP LA VELOZ MARIANA, BY THE JEAN BART FRENCH SHIP OF THE LINE (given by four passengers in the Spanish ship.)

“The Spanish merchantman *La Nueva Veloz Mariana* sailed from Vera Cruz on the 24th of December last, and from the Havannah on the 27th of January following, bound for Cadiz. On the 22nd Feb. while steering to the south of the island of Santa Maria, one of the Azores, at 36 deg. 9 min. N. lat., she observed, between half past four and five in the morning, to the leeward, another vessel, steering in the opposite direction. The officer of the watch of the *Veloz* immediately gave orders for a tack to be made for the purpose of passing the ship, which was observed to be approaching; but the latter, instead of pursuing her course, altered it and stood towards the *Veloz*. The Spanish captain then, concluding that this vessel;

must be one of the numerous corsairs which pursue the Spanish flag, ordered the deck to be cleared, and made preparations for defence, at the same time hoisting some additional sail with the view of escaping. Shortly afterwards, the morning began to dawn, and at daylight the chasing vessel was discovered to be a large ship of war, carrying a press of sail. She fired a gun to make the Mariana show her colours, which the latter answered by firing another gun, and hoisting her flag. Nevertheless, the ship of war made more sail, threw out her upper and lower studding-sails, and gained on us in the chase with the most determined perseverance. The captain of the *Veloz* continued his flight, in obedience to his instructions, which were, that he should avoid an engagement with any vessel, more particularly with one chasing in his wake, and whose colours could not be made out in consequence of their flying fore and aft. The *Veloz* being under the guns of the chasing ship on the weather side, the latter fired one gun without shot, and three with shot. The two ships being now near enough, spoke; in consequence of which the captain of the *Veloz* went on board the ship by which he had been pursued, carrying along with him the register, the certificate of ownership, the royal license for carrying guns, &c. He found, that the vessel was the *Jean Bart*, a French ship of war, commanded by rear-admiral Meynard de la Farge, who, notwithstanding that all the documents he could demand were presented to him, declared his determination to carry the *Veloz* into Martinique. On being informed of this, the fifty-five pas-

sengers, who were on board the *Veloz* Mariana, deputed three of their number to go on board the *Jean Bart*, and, in the name of all, to entreat that the rear-admiral would land them at the Azores, so that they might continue their voyage to Cadiz; but this request was refused.

"The *Veloz* was manned with French soldiers and sailors; and upwards of 100 men of her crew, including 20 discharged soldiers, who were proceeding from the Havannah to the Peninsula, and some passengers, were transferred from the *Veloz* to the *Jean Bart*. There remained on board the former, only about 50 passengers and a few of the crew, who were retained to assist in working the ship.

"The passage from the Azores to Martinique lasted from the 23rd of February to the night of the 11th of March. During the 12th and 13th, the *Veloz* lay in Martinique roads, but without being suffered to communicate with the shore, by order of Admiral Meynard de la Farge. On the 14th, the passengers, after their luggage had been registered, also by the admiral's order, were permitted to go ashore.

"At Martinique the captain and supercargo of the *Veloz* made various applications to the governor, praying for the liberation of the vessel. They made it manifest, that the Spanish government had not the slightest property or interest in the vessel, and represented, that the greater part of her cargo belonged to private individuals, who had fled from the revolutions in America; but to these applications no written answer was returned for the space of 45 days, namely, from the 11th of March till the 25th of April.

"The passengers made a separate representation, stating that they were in a foreign country, sick, and without resources, and praying that they might be supplied by the government with the means of proceeding on their voyage to Cadiz; but finding that this prayer was ineffectual, they solicited a small portion of their property registered on board the *Veloz*, in order to defray their necessary expenses; and though a promise was given that they should be furnished with what was requisite, they received nothing.

"On the 25th of April, the cargo of the *Veloz* still remained on board that vessel, under the usual seals. The governor of Martinique had not disposed of any property belonging to the ship; for even at that date it was not positively known there, whether or not war would take place, though the *Veloz* had been previously seized on the presumption that war had actually broken out. This capture was in fact made six weeks before the commencement of hostilities in the Pyrenees."

MAY.

THE length of streets already lighted with gas in the metropolis is 215 miles! and the three principal companies light 39,504 public lamps, and consume annually about 33,158 chaldrons of coals.

CURIOUS LAW SUIT.—There is now before the tribunals at Paris, a very curious cause: it is nothing less than the trial of right to the heart of Gretry, the celebrated musical composer. Gretry when he died, left his heart to his native city (Liege). His nephew, Flamand Gretry, did not execute

the will of the uncle, and after a lapse of years, the inhabitants of Liege have brought the question before the courts of law. M. Flamand Gretry declares in his defence, that, on the demise of his uncle, he wrote to the burgomaster of Liege, requesting him to send for the heart, which was carefully preserved; but that the magistrate replied by letter in these terms—"Veuillez, bien, Monsieur, nous envoyer franco le cœur de Monsieur, votre oncle, par la diligence." This letter filled M. Gretry with such indignation, that he vowed the heart of his uncle should remain in France, and it was placed by him in an urn in the garden of the hermitage of J. J. Rousseau, at Montmorency, now the property of M. Flamand.

NEW SOUTH WALES.—The last Sydney Gazette brings only general local intelligence, but they bespeak by their appearance activity in all the movements of the settlements. An agricultural society has been established, of which sir Thomas Brisbane is patron: and some idea may be formed of the increasing number of respectable colonists, from the circumstance of eighty gentlemen having sat down at Paramatta, at the first dinner of the establishment in August last, when upwards of 1,500*l.* was subscribed, to carry into effect the purposes of the institution.

The new-formed settlement at Macquarrie harbour, established as a secondary place of transportation for the offending convicts, had continued to make successful progress. The coal found here is good and easy of access, and the timber, both in quantity and quality, answers every expectation.

As a proof that the increase of

luxuries keeps pace with the more solid improvement in all the comforts of life, an advertisement in one of the Sydney papers invites masters of vessels to pick oranges for their sea-stores from the trees of a settler, at 6d. per dozen. A very few years back, this estimable fruit was attainable in the colony only at 6d. each !

The same paper says, a house in Sydney is now selling colonial tobacco fully equalling the celebrated American negro-head in its strength and peculiar sweetness.

The bee-hives taken out by captain Wallis, of the *Isabella*, fortunately arrived safe, and four of their thickly-populated habitations are now in the neighbourhood of Sydney, where the valuable little colonizers seem to lose none of their forces from their change of climate, but rather to increase in thrift and hardihood. The owner expected to extend his four to twenty hives in twelve months.

Those cultivators of the vine, who have selected proper situations, have every prospect of being amply rewarded. Mr. Blaxland brought over some samples of Australasian wine in the *Shipley*, for submission to the Society of Arts, who have awarded him the silver medal, in token of their approbation of its quality.

While every minor source of wealth is obtaining due attention in the territory at large, the principal feature that distinguishes New South Wales, more immediately as it regards the interest of this country, is the peculiar fine wool of its sheep. The favourable prices it obtains here, and the high opinion entertained of its qualities by our most experienced manufacturers, continue to stimulate the growers to increased exertion.

3. EXTRAORDINARY SUICIDE.

—At Bury, a coroner's inquest sat upon the body of Mary Gooch, and received the following evidence:—

Mr. Dalton, surgeon, had been for some time attending Mary Gooch, the deceased, who was subject to fits; was employed to do so by John Spring; was called in by the brother of the deceased about half-past ten on Friday night; saw Spring lying on the bed, and observed the body of the deceased on the other side of the bed, partly dressed, and quite dead and stiff.

Mr. Mountain knew John Spring; knew he lived with Mary Gooch, but did not know her. About half-past seven on Friday morning, Spring came to witness and said, "the girl has been very ill all night with fits." Spring looked very unwell: he said, he had been up all night; saw Spring half an hour after, when he said "the girl is dead, and I shall now go to hard work."

Amos Webb lives at No. 5, School-hall-lane, and lets lodgings; his lower room was occupied by Mary Gooch, the deceased; lives up stairs himself; John Spring lived and slept with deceased; they had the apartments entirely to themselves; saw the deceased on Thursday night last, about ten, then alive; she appeared well; she went to bed with Spring; the mother of deceased was in the room at the time, and left the house, calling witness to come down and lock the door after her; witness went to work at half-past six on Friday morning; came back at eight; Spring then stood at the door, and requested witness to lend him half-a-crown; witness lent him two shillings; Spring then went out, and returned in twenty minutes after, complaining

of illness, and asked for a cup of tea; Spring said nothing about Mary Gooch; about ten the same morning, witness asked Spring, how Mary did, knowing she was subject to fits; Spring said she had been ill during the night, but was then asleep; witness worked in the yard until three o'clock, but did not see Spring, who had fastened the door by placing a chair between it and the bed; witness tried several times to get in, but could not; at nine at night, the mother of deceased came to the door and knocked; Spring said, "Who is there?" Spring let the mother in; soon after which he heard some person cry; he then went in, and saw the mother of the deceased and her youngest daughter crying; saw the deceased quite dead, lying with her head on Spring's arm; witness heard in the morning, that she was dead, but Spring told him, she had only some of her fainting fits; told Spring during the day, he heard she was dead; Spring replied, "Nonsense, she is only fainted, and is now asleep;" witness asked Spring, if she wanted any gruel; he said, "No, she is much better;" at four o'clock witness left home, and was absent three or four hours.

Mr. Dalton re-examined.—Observed appearances upon the skin which induced him to think the death of the deceased was occasioned by narcotic poison, the feet having a peculiar appearance under such circumstances; he afterwards opened the body, and his suspicions were confirmed; upon examining the stomach, he found a mixture of laudanum, with a strong smell and colour of that poison; the deceased was not pregnant; there were no marks of violence about the body; witness did not think

she died in a fit, but that her death was occasioned by poison.

Mr. Sabine proved the purchase of four ounces of laudanum at his shop by Spring.

Mary Gooch, mother of the deceased, saw her daughter about half-past nine on Thursday night; she was sent for by deceased; saw her in bed with John Spring; the deceased said, she was going to London the next morning, and wished to see her first; at this time there was no one in the room but Spring, herself, and the deceased; she said, "Mother, you want a pair of shoes, you may have mine, they are the only pair I have, but Spring is going to buy me some in London;" she wished her to take the shoes, brushes, and some blacking; and said, if she would take a tin box from the till, she would find some duplicates, which she wished her to keep till called for; witness remained in the room about half an hour; the deceased looked very ill, and said she had a sore throat; Spring said, he had a situation in London, where he could earn a guinea and a half per week, and wished those things to be taken care of, till they were sent for; witness then left the house. Witness was sent for to see her at nine last night; had sent to inquire two or three times during the day, whether she was gone to London, but did not receive any answer, the door being fastened; a person came to witness and said she lived near deceased, and requested witness to go to inquire after her daughter, as she had not heard her speak all day; witness went and knocked at the back door; Spring asked "who was there;" witness replied, "It is me, I want to speak to Mary;" witness then went in, and was in-

formed by Spring, that Mary was in a sound sleep; Spring turned the bed-clothes down, when the witness discovered her daughter a corpse; some time after Spring said, "Do not fret, Mrs. Gooch, she has been dead ever since the morning;" witness asked him, why he did not let her know it before? He replied, he did not like to break it to her; witness told him, he must be sure she must know it; Spring said, she went off in a fit; that she had taken laudanum, and that he had taken double the quantity; he said they had taken two ounces; he appeared very bad on being told that he was the cause of her death. The witness was aware her daughter had for some time been living with Spring, and remonstrated with her for it. On Thursday night, deceased said, "There is a piece of bread which will do for one of the children, we shall go early, and shall not want any breakfast;" deceased took witness by the hand, and said, "Good bye, God bless you, do not fret when I am gone."

Ann Hayward lives in Garland-street; saw Mary Gooch on Thursday last; was sent for by deceased to pledge a gown at Mr Weston's, about four or five o'clock; deceased said, "To-morrow two years my father was killed;" witness pledged the gown for 3s. 6d., and gave the money to the deceased; who appeared in bad spirits, and talked about her father.

The evidence of Spring being deemed admissible, the jury went to his house, and he deposed as follows:—

John Spring said, that he was present with the deceased in bed when she died, about seven o'clock on Friday morning; that she did not die in agony; that on the

Wednesday evening the deceased and witness came to an agreement to buy some laudanum to take together, that they might both be found dead together in the same bed; that, on the Thursday morning, he (the witness) went to the chymist's and bought some laudanum; he thinks four ounces; that when he came in, Mary Gooch said, "Your heart has failed you, you have not bought it for me;" that she got up and felt witness's pocket. The deceased said, "You have got something here." Witness replied, "Oh, that will soon do our business, if we take it." She said, "Have you any money left of what I gave you to buy it with?" Witness said, "Yes, there are some halfpence." The deceased said "she would purchase some oranges with them, to take after it, and would send for them;" that she sent a boy of Webb's, who returned with two oranges; that the deceased peeled them; that she took two wine-glasses off the shelf, and placed her's on the box, and said, "Now let us take it;" she poured half into one glass, and half into another; one glass she kept herself, and the other she gave to witness. The deceased said, "Let us take hold of each other's hands." Witness said, "No, my dear, if we do, we shall not take it; let us turn back to back and take it." Deceased and witness turned their backs to one another, and drank the contents of the glasses; after they had drank the laudanum, the deceased said, "What shall we do with the bottle?" witness said, "he would go and throw it away;" she said, "she would in the mean time wipe up the glasses;" he threw the bottle into the privy, and the deceased had wiped the glasses by the time he came back:

the deceased said, "Let us go to bed;" they both went to bed together; the deceased afterwards got out of bed and placed a chair against the door to fasten it, and drew the window-blinds; the deceased then said, "Now we shall die happy together;" this was between two and three o'clock; he asked the deceased, how she came by the money she had given him; the deceased said, "That is of no consequence, and does not signify;" that the deceased and the witness conversed together about different things, till about eight o'clock; she said, she had sent her gown to her aunt's, and that the money came from her; the laudanum did not take any effect till about two; she then began to sleep; the witness was sick about four, and the deceased was awake at that time; the deceased was not sick at all, and fell into a sound sleep at six; the witness awoke her between six and seven, the deceased then said, "How large your eyes look; witness said to her, "Mary, I am afraid my laudanum will take no effect;" the deceased said, "Oh dear, if I die without you, and you are taken before a court of justice, I shall not die easy;" witness told her she might be quite happy, for if it did not take effect, he would get up and buy some that would, as he would die with her; the deceased said, "My dear, pray give me that blue muslin handkerchief, that I may have it in my hand when I die: pray don't you take any thing; but let me die, and you will get over it;" she then laid her head on the shoulder of the witness, and died almost immediately; the body began to grow cold by the time he came in from the town, about half-past eight; the deceased had been in a bad state of mind

ever since he has known her; she always appeared to wish to die, and had attempted to destroy herself before, when the witness was at a fair; about a month previous, the deceased having, come home in an unhappy state of mind, about 12 at night, got up, took a linen line, pinned her cap over her head, went out of the house taking a small chair with her; she had one end of a rope about her neck, and was about to throw it over the arm of an apple-tree, when he overtook her, brought her in, and took the rope from her. The deceased, all Wednesday evening, was very anxious to die, and wished witness to die with her; on Thursday, she expressed a desire that they should both die together; the witness had known the deceased ever since Michaelmas Bury Fair; she had been very anxious about the payment of the half-year's rent; the witness said he would go to his friends and get it; deceased said, "If you go away, I shall be afraid that you will not come back again;" it was not for want that they committed the act; it had been in contemplation some time.

The jury retired somewhat more than half an hour; and on their return, delivered their verdict, that—"Mary Gooch, being of sound mind, took laudanum to cause her death, procured, at her request, by John Spring, and that she died—*Felo de se.*"

About midnight, the remains of the wretched woman were interred in the cross road, at the end of Abbeygate-street.

GREEKS.—The following letter has been addressed to the secretary of the Greek Committee, by lord Byron, one of their members:—

"Genoa, May 12.

"Sir—I have great pleasure in

acknowledging your letter, and the honour which the committee have done me; I shall endeavour to deserve their confidence by every means in my power.

"The principal *materiel* wanted by the Greeks appears to be, first, a park of field-artillery, light, and fit for mountain-service; secondly, gunpowder; thirdly, hospital, or medical stores. The readiest mode of transmission is, I hear, by Idra, addressed to Mr. Negris, the minister. I meant to send a certain quantity of the two latter—no great deal, but enough for an individual, to show his good wishes for the Greek success, but am pausing, because in case I should go myself, I can take them with me. I do not mean to limit my own contribution to this merely, but, more especially if I can get to Greece myself, I shall devote whatever resources I can muster, of my own, to advancing the great object. I am in correspondence with signor C—— (well known to Mr. Hobhouse), who is now at ——; but his latest advice merely states, that the Greeks are at present employed in organizing their internal government, and the details of its administration; this would seem to intimate security—but the war is, however, far from being terminated. The Turks are an obstinate race, as all former wars have proved them, and will return to the charge for years to come, even if beaten, as it is to be hoped they will be. But in no case can the labours of the committee be said to be in vain; for in the event even of the Greeks being subdued and dispersed, the funds which would be employed in succouring and gathering together the remnant, so as to alleviate in part their distresses, and enable

them to find or make a country (as so many emigrants of other nations have been compelled to do), would 'bless both those who gave and 'those who take,' as the bounty both of justice and of mercy. With regard to the formation of a brigade (which Mr. Hobhouse hints at, in his short letter of this day's receipt, inclosing the one to which I have the honour to reply), I would presume to suggest, but merely as an opinion resulting rather from the melancholy experience of the brigades embarked in the Colombian service, than from any experiment yet fairly tried in Greece, that the attention of the committee had better perhaps be directed to the employment of officers of experience than the enrolment of raw British soldiers, which latter are apt to be unruly, and not very serviceable, in irregular warfare, by the side of foreigners. A small body of good officers, especially artillery or engineers, with a quantity (such as the committee might deem requisite) of stores, of the nature which captain —— intimated as most wanted, would, I should conceive, be a highly useful accession. Officers, who had previously served in the Mediterranean, would be preferable, as some knowledge of station is nearly indispensable. It would be as well, that they should be aware that they are not going 'to rough it on a beef-steak and a 'bottle of port;' but that Greece never, of late years, very plentifully stocked for a mess, is at present the country of all kinds of privation: this remark may seem superfluous; but I have been led to it by observing, that many foreign officers, Italian, French, and some German (but fewer of the latter) have returned in disgust;

imagining either that they were going up to make a party of pleasure, or to enjoy full pay, speedy promotion, and a very moderate degree of duty: they complain, too, of having been ill received by the government or inhabitants; but numbers of these complainants were mere adventurers, attracted by a hope of command and plunder, and disappointed of both: those Greeks that I have seen, strenuously deny the charge of inhospitality, and declare, that they shared their pittance to the last crumb with their foreign volunteers.

"I need not suggest to the committee the very great advantage which must accrue to Great Britain from the success of the Greeks, and their probable commercial relations with England in consequence, because I feel persuaded that the first object of the committee is their emancipation without any interested views; but the consideration might weigh with the English people in general, in their present passion for every kind of speculation—they need not cross the American seas, for one much better worth their while, and nearer home. The resources even for an emigrant population in the Greek Islands alone, are rarely to be paralleled; and the cheapness of every kind of not only necessary, but luxury (that is to say, luxury of nature), fruits, wine, oil, &c. in a state of peace, are far beyond those of the Cape and Van Diemen's Land, and the other places of refuge, which the English population are searching for over the waters.

"I beg that the committee will command me in any and every way: if I am favoured with any instructions, I shall endeavour to

follow them to the letter, whether conformable to my own private opinion or not. I beg leave to add, personally, my respect for the gentleman whom I have the honour of addressing, and am, Sir, your obliged and very obedient servant,

(Signed)

"NOEL BYRON."

WANSTEAD HOUSE was sold by auction on the premises, on Monday last, for 10,000*l.*; one of the conditions of sale binds the purchaser to clear every thing away, even to the foundation, by Lady-day, 1825. The biddings commenced at 1,000*l.* and advanced by thousands, till they reached 8,000*l.*, when they dwindled to an advance of 100*l.* each bidding, till they reached the sum at which the building was sold: the purchasers were Messrs. Stannard and Athow, of Norwich, in conjunction with three other of their townsmen. The auctioneer announced to the company, by their request, that they intended to sell the whole in lots, large or small, to suit buyers; and they sold a pair of marble chimney-pieces for 300 guineas; before they left the room. Thus is sacrificed to extravagance and gambling, a mansion, which cost in its erection more than 360,000*l.* and which has no equal in the county of Essex!

MR. ROSTOCK.—A labourer, of the name of Beckman, lived in a house out of the Kroplin gate, with his wife, who was pregnant, three children, a sister, and his father. The two latter were always quarrelling, and, on the 10th of this month, they even came to blows. The father, who, as the weakest, had been obliged to yield, was so irritated that he rose in the night, closed the doors inside, and barricaded them and the windows as

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fast as possible. He then set fire to this miserable abode in several places, leaped into the river Warne, which flows close to it, and was drowned. The house was totally consumed, and the three children, as well as the sister of the owner, not only perished in the flames, but were so completely reduced to ashes, that no trace of their bodies was to be found. The man and his wife were found still alive, but in so miserable a state, that the wife died on the 11th, and her husband on the 13th. The body of the unnatural father having been in the Warne, was delivered to the anatomical theatre for dissection.

16. SHIPWRECK OFF THE ISLE OF MAN.—The brig Robert, of Whitehaven, 186 tons burthen, sailed from Dublin for Liverpool, early in the morning, having on board between 50 and 60 passengers (including about 20 women and children), 13 horses, 39 bullocks, and 60 pigs, &c. Towards evening, the sea became extremely boisterous; as the vessel inclined to either side, thither the cattle rushed in a body. In this predicament, considerable fears were entertained by the passengers for their safety, and they entreated the captain either to return to Dublin, or to put into the nearest port. It was impossible to comply with the former request, but the captain said he would run into Whitehaven. About half-past eight, the vessel was under a heavy press of sail, and bearing on the Manks coast. The captain was not aware of being near the land, for in reply to a question, he said there was no danger, as the vessel was between 20 and 30 miles from any coast. A few minutes afterwards, the captain and a Mr. Nixon, being in the cabin (the latter

having lain down in the captain's bed), the vessel struck on the rock at Langles Point with a dreadful crash. The captain and Mr. Nixon instantly rushed on deck, where a scene of the most horrifying description presented itself. At this moment—the sea running mountains high, and the waves dashing over the vessel, and on an unknown coast—there was not an instant for deliberation. Those who could swim immediately jumped into the sea, and gained the rocks, while a few others succeeded in passing over the bowsprit, and descending on a jutting point of the rock. Several who had gained the rock were washed off by the overwhelming waves. Those who succeeded in retaining their hold, clambered from rock to rock, during the short interval that succeeded each wave, until they attained the land. Of the entire number not more than nineteen persons (including the captain and crew) were saved—the remainder found a watery grave. From the darkness of the night, these unfortunate people had considerable difficulty in finding a habitation. On the following morning, they went to Castletown, where a collection was raised for their relief, and a vessel prepared to convey them to their destination. The passengers were entirely of the poorer class.

KNAVERY OUTWITTED.—A German paper mentions the following event as having occurred lately at Warsaw:—A Jew, the proprietor of an hotel in that city, was intrusted with a casket, containing valuable property to the amount of 50,000*l.*, belonging to an Englishman, who gave it to his host for greater security. When the Englishman asked for his pro-

petty, the Jew positively denied having received it. In despair the Englishman proceeded to the arch-duke Constantine, who summoned the hotel-keeper before him, and used his utmost efforts to induce the Jew to surrender the casket, but in vain. Pardon was even offered, but to no purpose; the Jew persisted in the denial. His imperial highness then turned the conversation to some other subject, and after some minutes drew out his watch, and on looking at it said, "I believe it is not right, let me see what it is o'clock by your's." Then, seeming to take a fancy to it, the grand duke asked the Jew to exchange watches—to which the Jew, unsuspecting of any design, readily consented. The prince withdrew into his cabinet, and despatched a trusty messenger with the exchanged watch to the hotel, desiring him to tell the landlady, on the part of her husband, to send the casket immediately, as he wanted it much, in order to arrange some business with the grand duke. The landlady, on seeing her husband's watch, suspected nothing, and instantly gave the casket to the duke's valet. The grand duke, when he had received the casket, offered pardon to the rascal, provided he would admit his having received it; but the Jew denied all knowledge of the casket, and even swore to the truth of his denial. He was then, by order of the prince, handed over to the military tribunal, who sentenced him to be shot by twenty Jews. The latter, however, executed the sentence so badly, that the culprit suffered excruciating agony for two hours.

17. PARIS.—Judgment was given by the court of correctional police, in the case of M. Köchlin,

the deputy, who was prosecuted for a pamphlet published last summer, giving an account of the transactions in Colmar, connected with the arrest of colonel Caron. He offered, at the tribune of the chamber of deputies, to bring 2,000 witnesses to establish upon oath the truth of his allegations against the civil and military authorities of the department, provided a committee were appointed to conduct the inquiry, and to receive their depositions. He made the same offer to the court of correctional police, where his trial came on, after six cases of fraud and petty larceny, and where he was placed on the same bench with the vilest of criminals. The Court condemned M. Köchlin to six months imprisonment, and a fine of 3,000 francs. He was accompanied by a great number of his colleagues of the left side. When they retired from the court, they were saluted in the passage with great enthusiasm.

WINCHESTER.—Some labourers, working in a field belonging to H. Noyes, esq., of Thruxton, near Weyhill, discovered, about two feet under the ground, a most beautiful tessellated pavement, supposed to be the flooring of a tent used by some Roman general. The pavement is composed of small dies about half an inch square, of various colours, and, according to the different compartments, varying in size; the workmanship is beautifully shaded, and the figures, which are mostly preserved perfect, show great skill of delineation. In the centre is placed the general, with the right arm extended, clapping a goblet—in the left is a spear—over his shoulder hangs a skin of a wild beast, and his feet are resting on the back of a leopard.

The inscription, which is as perfect as at first, is on the upper margin of the pavement, and is as follows:—"Qvintvs Natalis Ivlianvs et Bodeni." At the upper side of the square, just above the letter Q, is a piece of freestone about two feet square.

23. AMERICAN DUELLING— (From the "*Virginia Times*.")

The superior court of law for New Kent county, tried and determined six several presentiments, found by the grand jury against colonel Richard Graves, in each of which the defendant was charged with a violation of the act to suppress duelling. The case, during the last session of the legislature, had been laid before that body, by captain Archibald Lacy, with the view of removing colonel Graves from his seat. The several presentiments charged Richard Graves—1st, with sending a challenge to Archibald Lacy to fight a duel—2nd, to fight a duel with poison—3rd, for sending a challenge to Archibald Lacy to fight a duel, in the following manner—that two cups should be filled, the one with pure water and the other with deadly poison; and that two tickets should be rolled up and put in a hat; and they, Graves and Lacy, should draw lots who should drink the cup of poison, &c.—4th, for sending a challenge to fight a duel with knives, &c.—5th, for challenging him to draw a lot for a cup of poison, which cup was to be drunk by the person to whom the same should fall by allotment. The evidence went to show, that Graves received a challenge from Archibald Lacy to fight with fists, two or three days before the meeting of the legislature in 1821; Graves refused to accommodate him at that time, on account of his

public duties; but pledged himself to give him an opportunity of obtaining honourable satisfaction immediately after the rising of the legislature. On the 16th of March, Graves wrote a note to Lacy, requesting to meet him at a certain place to settle the difference. They met, but Graves was disabled by an accident in one of his legs and ankle. Lacy urged a fist fight; but Graves proposed they should put an end to the difference in the following way—that two cups should be filled, the one with pure water and the other with deadly poison, and set on a table covered with a cloth; that two tickets should be rolled up and put into a hat, the one blank, the other marked P.; that he who drew the blank should take his choice of the two cups, and swallow its contents, and that he who drew the letter P. should be bound, at the peril of his life and honour, to swallow the contents of the other cup. Lacy's answer to this proposition was, "I will not drink poison to accommodate you, nor will I hazard my life with you in any manner whatever." Graves's second proposition was, "If captain Lacy insists on a decision by bodily exertion, he shall be accommodated, under a pledge of honour, that he will afterwards meet colonel Graves on equal ground, and lodge no information, nor take advantage of such honourable propositions as he may make." To this proposition, Lacy answered in the negative, saying again he would hazard his life in no other way than fist fight. Here Graves, under the influence of passion, said, "I am not, nor will be afraid of you; and to prove it, I am willing to go into the woods alone, and put a final end to the contest with

knives." Those propositions formed the basis of the six counts laid in the indictment, to which the defendant pleaded not guilty.—Verdict, Not Guilty.

JUNE.

1. **THE DEAD.**—David Morrison has been sentenced to seven years' banishment by the Scotch High Court of Justiciary, for violating the sepulchres of the dead. On his trial, Dr. Barclay, a teacher of anatomy, deposed that some bodies became decomposed in a few days, others lasted much longer; in some the features could not be known in 48 hours, while in others they might be recognized for a week; but much depended on the previous illness; he had known the features of a Lascar remain recognizable for a fortnight. In three weeks, a subject becomes unfit for the purposes of dissection. In two weeks the outer skin comes off, with it the nails, and the hair would be loose, but marks on the body might be identified. He had known frequent cases, where relatives were mistaken in the bodies they claimed, and instanced one, where a body made of leather was insisted on as being the one they were in search of.

IRISH MARBLE.—Some quarries of white and green marble have been lately discovered in the west of Ireland, which promise to be very valuable. The white is said to be of a quality superior, for the purpose of statuary and sculpture, to any Italian marble, being of the same texture and constitution with the best Grecian marble; and the green marble is considered to be of the family of the *verde antique*, and to rival in beauty, the finest

specimens of that very rare and costly article.

2. This morning, about seven o'clock, an immense quantity of mackerel were hauled on shore at Deal, having been caught in a seine net, to the number of about 7,000—a circumstance unprecedented in the annals of the fishery; the whole were purchased in the course of an hour afterwards, at the rate of 17s. per 100.

3. **STATE OF NEWGATE.**—For the last 21 years there have not been so few prisoners within the walls of this prison as at present. The return made this day to the Court of Aldermen by the governor, was as follows:—

	Men. Women	
Convicts respited during pleasure	1	1
Sentenced to death	5	1
Transported for life	9	10
Ditto 14 years	2	7
Ditto 7 years	18	24
Imprisoned different periods	13	5
Committed by Commissioners of Bankrupts	1	0
Insane	1	0
Judgment respited	5	1
For the assizes	1	0
To be tried next sessions 43	26	
Remanded for next sessions	2	0
	101	74

There are but 3 men and 7 women in the Infirmary, and most of those are under cure for disorders contracted before their imprisonment.

FEMALE PREACHER.—A placard, announcing that Mary Brown, of Nottingham, would preach on Sunday at the chapel in Grubb-street, was last week posted in different parts of the city. The novelty attracted vast crowds to the spot;

and although the chapel is a spacious one, capable of accommodating upwards of 2,000 people, it was completely crowded long before the time fixed for the commencement of the service; even the window-sills and the avenues leading to it were filled, nor was the clerk allowed the accustomed exclusive possession of his pew. The female preacher had on a nankeen dress, and wore a cap on her head. She took for her text a passage in the Psalms, as follows:—"Rivers of waters flow from mine eyes, because men keep not thy commandments;" on which she expatiated for upwards of an hour.

9. Mr. Plunkett, the attorney-general for Ireland, having obtained from the Court of King's-bench a rule to shew cause why an information should not be filed against a Mr. Thomas Hamilton, of Roscrea, for writing him a threatening letter, the rule came to be argued on the 2nd inst. The argument being resumed to-day, the Court set aside the conditional order, and left the attorney-general to his remedy by way of indictment.

10. Several individuals, male and female, of the religious sect called, "Primitive Methodists," or, "Ranters," have been preaching in various parts of the town of Shrewsbury, during the last twelve months, and have a licensed place of worship in Barker-street. Yesterday, one of them commenced an address near Market Hall, remonstrating against the folly and vice attendant upon Shrewsbury show. Instead of removing these fanatics by lawful means, drums and fifes were procured by one or two individuals, and a military party was ordered to march through the assembly, to drown the voices of the speakers and singers: this oppo-

sition, of course, strongly excited the enthusiasm of the sectaries, and occasioned much tumult, and several battles among the crowd, which continued after the preachers had gone away. This morning, the street preachers again sang a hymn near the same spot, and announced "Divine Service there at 2 o'clock." It was accordingly held peaceably, until one person in a state of inebriety went out of a public-house, with a pint jug of ale in his hand, and advancing to the preacher, was in the act of offering him the contents to drink, when another person struck him a violent blow, and knocked him down. This was the commencement of tumult; eggs were thrown from an opposite window, and an end was put to the preaching. The preachers were followed by a police officer, who conveyed two before the Mayor, where an inhabitant deposed that he had been annoyed by their proceedings, and they were in consequence committed to gaol. The Mayor offered to liberate them, on their promising not to preach again in Shrewsbury; they declined to give any such pledge, but promised to refrain from offending in the centre of the town.

SUPERSTITION. — The eldest daughter of a French lady, residing in Bouverie-street, had been afflicted with a most severe and excruciating nervous complaint for the period of 18 months. When she attempted to leave her bed, the depending posture of the legs produced the greatest agony in the stomach and bowels; and after the attempt, she would lie for several hours, suffering under acute hysterical flatulence, distension, and violent head-ach. In short, her agony was extreme, and she

became completely bed-ridden. She was constantly bedewed with clammy perspirations; her face was exanguine, her body emaciated. The most eminent physician in this city attended this young lady: by expostulations and entreaties he endeavoured to rouse her to exertion—by medicines and diet, to correct the deranged state of the system; but to no purpose. Six days after his last visit, he received a long letter from this young lady, stating herself to be perfectly recovered. She had written to prince Hohenlohe, who ordered her to say mass thrice, and to pray for him; at the same time, he would pray for her, and after the third mass she would be restored to perfect health. Her attempts to kneel down at the two first masses were prevented by the tortures usually experienced upon trying to quit her bed. Dread and apprehension lest she should lose the chance of recovery, enabled her to perform genuflexion at the third mass, though her attempts to quit bed were equally excruciating. She rose quite well from her last devotions.

11. SPITALFIELDS WEAVERS.—

The great interest excited by the third reading of the bill for the repeal of the Spitalfields regulations, brought down nearly the whole of the poor persons employed in the silk trade, to the neighbourhood of the House of Commons. Palace-yard was thronged with them in every part, as was every avenue of the house, from the outer door to the members' lobby. Many members, and strangers who were mistaken for members, were earnestly solicited by various groups, as they passed in, to oppose the bill. The interest excited among the crowd was intense when it

was communicated to them, that the house were dividing on the third reading. As soon as the division was over, a person, who came from the house, informed those nearest the door, that the bill was lost. This news spread instantly amongst the crowd, and was received with loud shouts and waving of hats. The exultation, was, however, but short-lived. The real state of the case was soon made known—that the bill was passed by a majority of 13. The disappointment seemed to be deeply felt by all, but there was not the slightest disposition to disorder of any kind. The crowd separated into small groups, by whom the merits of the bill were again discussed, and after a little time they all retired peaceably.

12. THE *DE SALABERRY* STEAM-BOAT left Quebec about two o'clock this morning, for the river Chambly and Montreal, with a full cargo, valued at upwards of 3,000*l.*, consisting chiefly of the summer investments of the merchants of the river Chambly; and had on board 240 passengers, men, women, and children, chiefly emigrants of the poorer classes. She had hardly passed Cape Rouge, about four o'clock, when she was discovered to be on fire. The crowd of passengers, crammed together in so small a craft, effectually baffled the spirited exertions of Mr. Kuper and his crew, to subdue the raging element. In this situation, Mr. Kuper, intent only on saving the lives of the passengers, directed the boat to be run on shore; in doing which, she struck upon a rock; but the *De Salaberry* having fortunately two large American boats, belonging to some raftsmen who were returning home, attached to her, these,

with her own boat, would have been fully adequate to save every individual and much of the property, had not several passengers, in a state of uncontrollable alarm, precipitated themselves into the water, of whom, though every exertion was made to save them, five or six unhappily perished.

Steam navigation appears to be carried to a very great extent in the Canadas. On the river St. Lawrence, between Montreal and Quebec, during the open season, which lasts from the 1st of May to the 25th of November, no less than eight vessels are constantly plying, of which the largest, the *Lady Sherbrooke*, is of 787 tons burden, and is impelled by an engine of 60 horse power.

14. COURT OF KING'S BENCH.—*Macpherson v. Lovie*.—This was an action for a breach of promise of marriage, tried by a special jury in London, at the sittings before last, Hilary Term. The jury returned a verdict for the plaintiff, with 500*l.* damages. In Hilary Term, the Court granted a rule to show cause, why a new trial should not be had, on the ground that the damages were excessive; at the same time directing 150*l.* to be paid into court, and giving a strong recommendation that an arrangement should be made between the parties.

It appeared in proof at the trial that the plaintiff was a widow, who had been twice married, and that the defendant was the captain of a West India vessel, in which she had once made a voyage, in order to join her husband. After Mr. Macpherson's death, an acquaintance continued between them, and captain Lovie paid her attentions as her lover. The promise relied on was in writing, and

expressed in these terms—"Dear Madam, I do solemnly promise to you, Mrs. Macpherson, that I will marry you when I return from Demerara, please God, or pay you 1,000*l.*—James Lovie." The address and the signature were in the hand-writing of the defendant, but, the remainder of the document was written by the plaintiff. In order to corroborate this promise, and to repel the suspicion of fraud, Mrs. Isabella Staniforth, the daughter of the plaintiff; Mary Ann Macpherson, a younger daughter of the plaintiff by Mr. Macpherson; and Mrs. Wallace, the plaintiff's mother, were called, who proved that an intimacy subsisted between the parties; that Mr. Lovie had spoken repeatedly of his intention to marry Mrs. Macpherson; and that he had given a dinner to her relations on board his ship, the *Latona*, where his conduct and his language corresponded with his previous expressions. It was also proved, that captain Lovie had offered a clerk of the plaintiff's attorney 150*l.*, if he would destroy the agreement; at the same time, however, asserting that he never intended to make such a contract, but had signed his name to a piece of blank paper. For the defendant, an attempt was made to show, that the promise was fraudulently obtained from captain Lovie, who intended merely to sign an agreement for allowing Mrs. Macpherson to retain possession of a house; and witnesses were called to prove, that she had lived with captain Lovie as his mistress; that she was generally a woman of loose conversation and demeanour; and that she had been so lost to all sense of decency, as to compel her daughter Mrs. Staniforth, to serve her with breakfast when in bed with her

paramour. The accusation was, however, denied by Mrs. Staniforth in positive terms.

The Lord Chief Justice, having read his report, asked, whether no arrangement had been, or could be made between the parties?

Mr. Adolphus said, none had been proposed on the part of the plaintiff.

Mr. Scarlett observed, that 150*l.* had been paid into Court, and he was ready to suffer the plaintiff to retain that sum and to pay all the costs.

The Court very strongly urged Mr. Adolphus to accede to his proposal; but he declined it; insisting, that his client had been injured and insulted as woman seldom had been—that she had the strongest claims on the justice of the Court—and that he should be guilty of a base and unmanly dereliction of his duty as an advocate, if he did not persist in maintaining a right to damages, which every generous mind must feel to be a scanty compensation for her wrongs.

The Lord Chief Justice said, that the rule must be made absolute for a new trial, the costs of the former trial being paid out of the money in Court, the trial being fixed for a day in the ensuing sittings, and the plaintiff having judgment of the term (if she should obtain a verdict), unless the judge should think proper to stay it by order.

Mr. Adolphus expressed a wish to know the grounds of the decision.

The Lord Chief Justice said, he could not particularly state them without commenting on the facts in evidence, which might create a prejudice on the second trial; but he was clearly of opinion, the case

ought to be submitted to another jury.

Mr. Justice Bayley and Mr. Justice Holroyd expressed their conviction on the general principle, that it was not only the right, but the duty of the Court, whenever they thought a verdict pressed too hard on either party, to send the case to a second jury.

Mr. Adolphus begged to mention, as a reason for the peculiar warmth and earnestness with which he had pressed his client's cause, that the defendant had put an execution into her house, and had continued his oppression up to the present time.

16. HOUSE OF LORDS.—*Loyd v. Trimleston*.—This was an appeal from the Court of Chancery in Ireland. Some years ago the late lord Trimleston, who had in the latter part of his life married a second wife, Miss Alicia Eustace, a young lady of considerable beauty, now married to General Loyd, died, leaving by his will the bulk of his estates to his widow, to the exclusion of his son, the present lord Trimleston. The validity of his lordship's will was consequently questioned, and a suit was instituted in the Irish court of Chancery. The lord chancellor directed an issue in the Court of King's Bench, to try the validity of the will. A trial at bar was accordingly had before the judges of that court, in which it was urged, on the part of lord Trimleston, that his father had been prevailed upon by the undue influence of his lady to execute the will in question. The trial lasted fourteen days, but the jury did not agree, nine declaring in favour of one side, and three on the other. A trial at bar was then had before the judges of the Court of Common Pleas, which

lasted for 11 days. A great many strong facts were sworn, to as instances of the influence which the lady possessed over the late lord; while, on the other side, evidence was adduced to justify on probable grounds his lordship's disinheriting his son. Lord Norbury charged in favour of general Loyd; and Mr. Justice Fletcher (lately dead) and Mr. Justice Moore in favour of lord Trimleston. Mr. Justice Johnson did not sit upon the occasion. The Jury, after considerable deliberation, found their verdict in favour of lord Trimleston, against the validity of the will. A motion was made to the lord chancellor to set this verdict aside, as being against the weight of evidence, and to grant a new trial. His lordship refused the motion; and against that decision general Loyd now appealed to the House of Lords. Before, however, the merits of the case were gone into, the attorney-general, on behalf of the appellants, urged, as a preliminary objection, that lord Manners had refused the motion without having the judges' notes of the trial before him, which rendered it impossible that his lordship could pronounce an accurate decision, as to whether or not the verdict was had against the weight of evidence. After some discussion of this point, the House of Lords yielded to the objection, and directed that the chancellor should procure the judges' notes of the evidence, and re-hear the motion.

18. MONTREAL.—Three boys, the eldest about 17 years of age, were returning to the eastern side of the Ottaway in a canoe, containing about 600 weight of flour; from want of knowledge of the danger of crossing near to the Chene Rapids, they did not go far

enough up the river. After having paddled nearly half the width of the stream, the canoe was observed, by several on the shore, to be drawn by the force of the current towards the vortex which this tremendous rapid presents. She was going down broadside, in which case immediate death must have been the event; but with great presence of mind, the boy at the helm righted her, and headed down the stream. Scarcely had he done this, when, with the velocity of lightning, the canoe dashed among the terrific breakers, and was for a moment lost to the petrified spectators on the banks, who, standing in full view of the scene, could render no assistance to the sufferers. Again the canoe appeared, and the largest boy was seen to throw overboard some bags of flour. Instantaneously they disappeared among the waves, and the spectators gave them up as lost. Although the canoe was forced through a swell which is said to rise above 20 feet high, yet the boys adhered to the boat, which was upset three times in succession. Messrs. M'Gillivray and Monier, of Hull, who had been witnesses of the event, ran to the lower landing, where, finding a canoe, they sprang into it, and pulled for the other side, to save the boys if possible. Another, however, had rowed towards them from the other side, and found them clinging around their canoe, which was upset. The swell was still so great, that those, who came to assist, could not reach them. They were therefore, obliged to let them float down still further, before they could rescue them from their perilous condition. The largest boy had, with admirable presence of mind, as soon as they emerged from the heaviest part of

the swell, directed the smaller two to approach each other, and lock their arms across the bottom of the canoe. This being done, he placed himself at the stern, and grasping with his hands the gunwale on both sides, gave her direction down the stream. They were perceived in this situation by the canoe from the eastern side. After they had gone down about a mile, they were taken off, previous to which the smaller boys complained grievously that their hands were cramped.

THE ARMY.—**GENERAL ORDER.**—*Horse-Guards, June 18, 1823.*

His majesty has been pleased to approve of the discontinuance of breeches, leggings, and shoes, as part of the clothing of the infantry soldier, and of blue gray cloth trowsers, and half-boots, being substituted.

Patterns of the articles intended to be adopted have been prepared, sealed, and deposited at the proper office, in Spring-gardens, and all supplies on account of clothing for the ensuing period are to be made in strict conformity thereto.

In order to indemnify the colonels for the additional expense they will in consequence incur, the waistcoat hitherto provided with the clothing, will, from the 15th of December next, be considered as an article of necessaries to be furnished by the soldier, who, being relieved from the cost of the long and short gaiter, as also, from the stoppage hitherto made in aid of the extra expense of the trowsers, (in all cases where such have been allowed to be furnished as part of the clothing of regiments), and being, moreover, supplied with articles of a description calculated to last longer than the breeches and

shoes now issued, cannot fail to be benefitted by the above arrangement.

The waistcoats are to be made upon all occasions in strict conformity to the approved pattern.

The non-commissioned officers, drummers, and privates of the infantry regiments, both at home and abroad, are at all times to be in possession of a pair of white linen trowsers (conformable to a pattern which has been sealed and deposited at the clothing office), to be worn on all occasions of dress parade, instead of a second pair of cloth trowsers, with which they have hitherto been required to furnish themselves.

The dark gray trowsers, which were formerly supplied at the option of the colonels, are entirely abolished.

The 60th, and all rifle regiments, will continue to wear green trowsers, as at present established. Regiments in the West Indies will continue the use of blue serge.

With the view of placing the regiments serving in the West Indies, whose serge trowsers are inferior in value to the cloth trowsers of the rest of the infantry, on an equal footing with them, three pair of cotton socks for the serjeants, and two pair for the other ranks, will be furnished by the colonel, and in future form part of the soldier's annual equipment.

It will be perceived that the above regulations are not intended to apply to the Highland regiments, or to the Royal Staff Corps, which will continue on their present footing.

By command of his Royal Highness the Commander in Chief,

HENRY TORRENS,

Adjutant-General.

19. HIGH COURT OF DELE-

GATES—LIABILITY OF STOCK IN TRADE.—*Miller against Bloomfield and Slade.*—This was an appeal to the delegates from the Court of the peculiar and exempt jurisdiction of Great Canford and Poole, Dorsetshire, which was prosecuted by J. B. Bloomfield and Robert Slade, jun., churchwardens of the parish of St. James, in the town and county of the town of Poole, against Richard Miller, a parishioner of the parish in question, for non-payment of a church-rate, under the following circumstances:—On the 21st of December, 1821, a vestry was held in St. James's parish, pursuant to public notice, in order to make "a church-rate or assessment on the inhabitants, occupiers, and others of the said parish, liable to the payment of the same, for the use of the church of St. James, and the repair and ornaments thereof." A church-rate of 3s. in the pound was agreed to; and it was ordered, that it should be made agreeably to the then existing poor-rate, and according to the usual mode of making the church-rate in the parish. In conformity with the resolution and order of the vestry, a rate of 3s. in the pound, made after the customary mode, was assessed on the 28th of December, 1821; was regularly allowed by Mr. Bowle, as official; and was submitted to and paid by the greater part of the inhabitants. Mr. Miller resided, at the period of settling the rate, within the parish of St. James, occupied certain messuages and tenements there, and was possessed of certain stock in trade, in virtue whereof he had been assessed in the sum of 13*l.* 7*s.* This assessment Mr. Miller refused to pay, and a suit

was promoted against him in the court below, &c. On the 8th of October, 1822, the proctor for Bloomfield and Slade exhibited a libel consisting of several articles, setting forth the facts above stated; which libel was admitted by the judge of the inferior court, and the other proctor was assigned to deliver in his client's answers in the next court. From this decree, an appeal was duly interposed to the delegates on behalf of Mr. Miller.

The counsel for the appellant argued at some length on the unfairness of assessing for repairs of a church, the tradesman or farmer, the owner of stock, more heavily than the landholder, or landed proprietor. The gentlemen of the neighbourhood, were assessed as for their lands and houses: but here was a case, in which a tradesman was assessed as for lands, houses, and his stock in trade; in the one case the rate was levied according to nominal possession; in the other, according to ability—a distinction which savoured very little of equity or of expediency.

The counsel for the respondents relied on the formal and legal manner, in which the vestry had been called, assembled, and conducted; and they contended, that it was impossible to impeach this rate. It was by no means a new principle, that stock and possessions, besides lands and houses, should be declared liable to parochial rates; nor were they calling on their lordships to revive that, which, *quoad* the town of Poole, was in any respect an old or exploded practice.

Their lordships pronounced against the appeal, found that the judge of the court below had proceeded duly, and retained the principal cause.

20. Seager against Bowle.—

This was an appeal from an inferior jurisdiction under the following singular circumstances:—Some time in the month of August, 1822, a citation issued on the part of the rev. Charles Bowle, principal official of the peculiar and exempt jurisdiction of Great Cornford and Poole, and was served upon James Seager, of the parish of St. James, in Poole, esq., citing him to answer in a cause of office, promoted against him for having illegally erected in the parish church of St. James aforesaid, a monument to the memory of his wife and some of his family without the consent of the ordinary. In the court below, the citation, calling on Mr. Seager to appear and show cause, why, "having acted of his own mere authority, in usurpation of the power of the ordinary, and without any legal license or faculty first obtained for this purpose, he should not be decreed to remove said monument" was returned. Articles were exhibited against Mr. Seager, whose proctor protested against their admission, and in reply propounded an allegation, setting forth, that he had duly obtained, according to the custom of the parish, the consent of the churchwardens and overseers for the erection of the monument. This allegation was rejected; and the cause was appealed to the high court of delegates.

On the part of the respondent, Mr. Bowle, who, receiving himself the ordinary's fees for such faculties and licenses, in his capacity of principal official of the peculiar, had issued the citation, calling on Mr. Seager to answer in his own court, Dr. Swabey, Dr. Dodson, and Mr. Adams, were heard against

the appeal. They relied on the authority of all the principal authorities upon ecclesiastical law—Gibson, Watson, Ayliffe, Burn, &c.—to show, that no monument could be raised within the church, without the consent first had and obtained, and a faculty procured, from the ordinary, who was alone empowered to grant it.

Dr. Lushington, Dr. J. Addams, and Mr. Merewether, for the appellant, argued for the custom of the parish, which had always accepted the consent of the churchwardens and overseers as sufficient sanction for such erections. They also quoted authorities, to prove, upon general analogies, that such consent was a valid and binding authority; they entreated their lordships, to consider well the dangerous consequences of opening a door to extortion, by going rather on the letter than the spirit of the law, and called upon them to exercise a vigilant caution in a case, where the original party proponent, who proceeded by articles in the court below, was at once the pursuer and the judge in his own cause.

The judges delegates (who were Baron Wood, Mr. Justice Holroyd, Mr. Justice Burrough, Drs. Arnold, Jenner, Daubeny, Meyrick, Berens, and Haggard), having consulted together for some time, pronounced for the appeal, finding that the judge of the court below had proceeded wrongfully.

23. PARRICIDE AND SUICIDE.—An inquest was held before Thomas Higgs, esq., coroner, on the bodies of Thomas Howard Griffiths, esq., aged 60, and Abel Griffiths, his son, aged 22.

The jury being sworn, proceeded to take a view of the bodies, which lay at the house, No. 4, Maddox-

street, in the drawing room. The floor of the apartment was covered with blood; the father lay prostrate on his back in one corner of the room, and the son was lying about seven yards from him. They resembled each other very much.

On the return of the jury to the Green Dragon, Mr. Hunter Nicholson, assistant to Mr. King, of Conduit-street, surgeon, being sworn, said, that he was sent for at half-past 12 o'clock yesterday afternoon. A person called in great haste, saying that a gentleman had shot himself. He went immediately, and arrived at the house five minutes after the circumstance had taken place. Witness was shown into the drawing-room on the first floor, where he found the two bodies, one near the door and the other near the fire-place. The father was dead; but the son was not quite so, but insensible. He died in five minutes after his arrival. Both the deceased had their clothes on. On examining the head of the elder deceased, he found a wound occasioned by a pistol-ball, from which a large quantity of blood had flowed, and which had caused his death. There were no other marks of violence on his person. The body of Mr. Griffiths junr. lay near the fire-place, with a wound on the right temple, evidently from a pistol ball, which had entered the brain. The brains of the deceased were scattered about the carpet. There were two small pistols in the room—one on the table, and the other on the floor. There was a discolouration on the fore-finger of the right hand of Mr. Griffiths, jun., which causes witness to believe he fired off the pistols. The hands of the other deceased were perfectly clean. He

had his gloves on, and his umbrella and hat lay close by him, as if he was on the point of leaving the room when shot.

William Wade, a man of colour, said, that he was servant to the deceased, Mr. Griffiths sen., whose son occasionally visited the house. Mr. Abel Griffiths was studying the law; his father did not usually see him when he made his visits. He had given orders to be denied him when his son called. The last time he called was yesterday noon, about half-past twelve o'clock, when witness was upstairs. He was informed by a boy in the house, that a young gentleman was below, who was desirous of seeing witness's master. Witness went down stairs, and saw Mr. Abel Griffiths standing in the passage. He had his arms folded, and appeared melancholy and dejected. He said, he wanted to see his father, and asked, if he was at home; witness answered "that he was," on which the deceased asked, "might he go upstairs?" Witness said "no;" but proceeded up stairs, and informed the father, who consented to see him. Witness conducted him into the drawing room, on which he bowed to his father, who returned the salute. The father was going out at the time, and had previously announced his intention of doing so to witness. They remained in the room about 20 minutes and at first spoke very low: witness heard the father, say to his son, "That he knew very well what would be the end of it; he (the son) would not feel satisfied, until a gaol had picked him up." He also said, "I allowed you a certain sum of money, and that would have kept you very well. You ought to have stayed where you was." He did not hear the deceased repeat the

specified sum which he allowed him—nor did he know, where his father wished him to have remained. Witness also heard the father say to his son, "I must go out." His master appeared vexed with his son while in the room. They had not been there long, when witness heard the report of a pistol. He shortly after heard the report of a second pistol; and, on opening the door, he saw the old gentleman lying on the floor, and bleeding very much.

24. The jury having assembled at four o'clock in the afternoon, proceeded to examine other witnesses, the first of whom was—

Mr. George Pinhorn, of Orange-street, Red-lion-square, chymist. He deposed, that he had known the deceased, Mr. Abel Griffiths, between two and three years. During the whole of that period he had been labouring under a complication of disorders, the nature of which had been mistaken by his medical attendants. An immense quantity of mercury had been administered to him, which had produced a nervous debility and irritation which characterized the whole of the latter part of his life. Between two and three months ago, he called upon the witness on his return from Southampton, and told him that he had narrowly escaped the jaws of death, owing to the skill of a medical gentleman of that place, and that he thought his health was then restored; but he still appeared very nervous and irritable, and betrayed symptoms of that complaint during this interview. About a week afterwards, he sent for witness to his lodgings in Queen-square, and said, "Pinhorn, I have such a depression of the brain; that I cannot bear the pain: do you

think leeches would do me good?" He described the pain as passing from one temple to the other, and a great weight, bearing upon the brain. Witness applied his finger to the temporal artery, and found the pulsation uncommonly violent; the patient's left eye was suffused with blood; the eyelid had dropped down, and had lost the power of contracting again. Witness thought these sufficient indications that the patient's brain was affected. The application of leeches afforded no relief, the head-ach and oppression still continued, and the eyelid remained in the same state. During this time, the witness and the deceased had a conversation, which turned chiefly upon the mistakes made by the medical men who had attended him, and in the course of which the deceased spoke with so little coolness, as to convince the witness that his mind was under the influence of disease. Witness had seen him very frequently since; the last time was on Thursday evening, previously to which he had been rather better. He wrote a letter to witness in the morning of that day, which was unintelligible. It required some "high wines," instead of spirits of wine, as the witness understood afterwards he meant. Witness sent that letter back, and the deceased called in the evening. He said, "Can't you understand my writing? I have had another attack of the pain in my head, and I want some spirit of wine and laudanum to take off the heat." The witness then gave him some of this mixture, as he had done before.

The witness had never heard the deceased mention his father, nor did he know that the latter resided in town. Witness considered the deceased in a state of

nervous irritability bordering on distraction. The deceased was an intelligent, and, apparently, a very amiable young man, of a humane disposition. Witness believed, he studied very hard. He had never mentioned his father to witness, but he had spoken of his family, and had regretted that he was deprived, owing to the distance at which they resided from him, of those attentions and services to which he had been accustomed. He complained, that, when he went out to evening parties, he was obliged, instead of having a carriage, to go home in a hackney-coach, or to walk, and was thus exposed to cold, which caused his glands to swell, and brought back his complaints with great violence.

Mr. Charles Kelson, of Berwick-street, surgeon, had known the younger deceased for three or four years, during which period he had attended him as a medical man. Three weeks ago was the last time he had seen him, when he seemed in a state amounting to insanity. He believed, that any distress of mind, added to his bodily infirmity, would have driven him mad. Latterly the deceased had been in unusually low spirits; but even so far as two years back, he had thought him queer. He knew nothing of any differences between the deceased and his father; he believed that money matters were pressing on his mind, and he appeared very unhappy. He never recollected his complaining of his father.

Samuel Woodward, of Harper-street, surgeon, had known Mr. Abel Griffiths for the last two or three months. Witness had been consulted by him three weeks ago, and on Sunday last. He did not perceive any thing remarkable in

the state of the deceased's mind, except that latterly he seemed much dejected and absent, which witness thought proceeded from his indisposition.

Mr. Corbett Woodward, of Funnival's-inn, solicitor, had known the deceased for the last three months, during which he had resided at his mother's house in Queen-square. He saw him almost every day. He appeared to be labouring under a severe malady in the head, which at times made him almost distracted. He kept his bed occasionally, and had leeches applied behind the ears. Witness had not seen him since Saturday. He was not aware, that he was in any pecuniary embarrassments. He did not know where the pistols were procured, nor whether the deceased had any. He kept no servant of his own, but was attended by Mr. Woodward's footman.

Captain Andrew Vincent, R.N., had known the younger deceased six months. He saw him last on Saturday. He had before met him frequently at dinner parties, where he had seemed to suffer so much, that he had several times gotten up in the middle of dinner, and had thrown himself upon a sofa, distracted with pain. He complained of great agony in the head and temples, and it was evident that the head was the seat of his disorder; for, after lying a few minutes, his left eye appeared bloodshot and inflamed. The deceased endeavoured to avoid this affliction as much as he could, by refraining from wine, and drinking water only. On Saturday, when the witness met him, he appeared extremely nervous, and worse than usual; in the latter part of their conversation, the deceased burst

into tears. When witness asked him the cause, he put his hand to his head and said, "It is here as usual; it is no better," alluding to the pain he was suffering. This was before 12 o'clock on Saturday. He was to have dined with witness on Monday. Witness knew nothing of his affairs, nor whether they were embarrassed or not. He considered him in a high state of nervous irritation, and said to a friend that he thought that he would soon be put under restraint. He never heard of his having any differences with his father. When he cried, he gave no reason for it; witness chid him, and invited him to dine with him on Monday, and to come early that they might have some conversation. He was a gentlemanly young man, of a fine mind, and possessing a very delicate sense of honour; he would feel hurt upon very trifling occasions.

Abraham Walker, servant to Mrs. Woodward, of Queen-square, stated, that Mr. Abel Griffiths slept at home on Sunday night, and was also at home during the whole of Sunday. He seemed very poorly, and complained much of his head. He took his meals, but did not eat so much as usual. He went to bed at 11 o'clock on Sunday, and witness saw him at nine the next morning, when he took up hot water to his bed-room. Mr. Griffiths appeared unwell; but the witness observed no difference in his behaviour then. On Monday morning, he breakfasted with Mrs. and Miss Woodward and two gentlemen. He had never applied to witness for powder or shot, nor had witness any reason to believe the deceased bought pistols on Monday. There was no appearance of pistols having

Vol. LXV.

been loaded in his room. When he went out, witness thought he did not appear quite so good tempered as usual; he looked down and cross. The family at Queen-square were first informed of the fatal accident by two gentlemen who came in a hackney coach; he did not hear what they said, but his mistress informed him, when he and every body in the house were alarmed and surprised at it. No one ever called at the house for bills due from the deceased, nor was he ever dunned for money. Witness did not know of any thing which annoyed him; he never suspected him to be out of his senses, nor heard any other person express an opinion to that effect.

Sarah Lyon, of No. 32, Caven-street, stated, that she had known Mr. Abel Griffiths, whom she saw on Monday morning. She let him in at about half-past 11, as well as she recollected. He had walked to the house, and seemed very low and ill. She and her sister observed, after he left the house, that he looked as if he was mad. He seemed very ill and low-spirited. He called upon a gentleman who was living in her mother's house, and whom he had formerly been in the habit of visiting. That gentleman's name was Cats; he was a person of fortune, and resided constantly in her mother's house. He saw Mr. Cats for a short time, but the witness knew nothing of the subject of their conversation. She did not know where Cats was now. He had left the house; she did not know where he was gone. He had talked some time since of going into Somersetshire, but she did not know whether he had gone.

Mr. Jacob Wilson, of Welbeck-
G

street, undertaker, stated, that he had been employed to put the bodies of the deceased into coffins; on stripping the younger Mr. Griffiths, he found a silk handkerchief, a powder flask, containing two bullets, and some powder.

After a consultation of nearly two hours, the jury returned the following verdict: — "Wilful murder of Thomas Howard Griffiths, by the said Abel Griffiths, who afterwards killed himself in a sound state of mind."

The warrant for the interment of the unfortunate parricide in the cross-road was then issued by the coroner, and delivered over to Roberts, the summoning officer, to see it duly executed. Several friends of the deceased having arrived in town, it was imagined that resistance would have been offered (the verdict appearing to them to be in opposition to the testimony produced at the inquiry), in consequence of which, several constables and watchmen were stationed about the neighbourhood. On the morning of the 25th, about ten o'clock, a party of men, headed by the constable, proceeded from St. George's Workhouse, Hanover-square, to the house where the deceased lay; and after staying in the house about half an hour, returned again to the Workhouse with the body enclosed in a shell. About half past one o'clock, the body was brought out supported on the shoulders of four men, and followed by a party of constables and watchmen. The solitary procession, which increased in numbers as it went along, proceeded up Mount-street, down South Audley-street into Stanhope-street, from thence into Park-lane, through Hyde-park-corner, and along Grosvenor-place, until

its final arrival at the cross-road formed by Eaton-street, Grosvenor-place, and the King's-road. When the procession arrived at the grave, which had been previously dug, the constables arranged themselves around it to keep the crowd off; the shell was then laid on the ground, and the body of the unfortunate deceased taken out. It had on a winding-sheet, drawers, and stockings, and a quantity of blood was clotted about the head; the lining of the shell was much stained. The body was then wrapped in a large piece of Russian matting, tied round with some cord, and instantly dropped into the hole, which was about five feet in depth. It was immediately filled up. The disgusting part of the ceremony of throwing lime over the body, and driving a stake through it, was dispensed with.

25. COURT OF COMMON PLEAS — *Thurtell v. Beaumont*. — The trial of this cause occupied the Court from 10 o'clock in the morning until near 7 in the evening. It was an action against the directors of the county fire-office to recover the value of certain property insured by the plaintiff, which was destroyed by fire in the month of January last. The plaintiff had been a farmer in the county of Norfolk, where he rented 400 acres of land, at a rent of 800*l.* a-year. Becoming insolvent in consequence of the pressure of the times, he offered to give up his lease to his landlord, who refused to take the farm off his hands before the expiration of the term. Under these circumstances he allowed himself to be arrested by his brother, for a debt of 17*l.*, with a view to take the benefit of the insolvent act. When his landlord perceived his determination,

and that his schedule was prepared, he thought proper to come to terms; and the plaintiff compounded with his other creditors. He then set up a public-house in the Haymarket, called "The Cock." Some time afterwards, he determined to avail himself of his brother's knowledge of the silk business (the brother having been in that line at Norwich, but being then an uncertificated bankrupt), and to enter into a speculation in that trade. With this view, having raised a sum of money amongst his friends, upon some bills of exchange, at the close of last year, he took the upper part of the house, 93, Watling-street, purchased various quantities of bombazines, Norwich crapes, and other silk goods, and placed them in the above warehouse, under the care of his brother, to whom he intrusted the management of the whole business, and who was to sleep on the premises. The ground-floor belonged to a Mr. Penny, who dealt in wine and spirits. The property was insured in December, with the defendants, for 2,700*l*. On the morning of Sunday, the 26th of January, 1823, at about five o'clock, a fire in the premises was discovered by the watchman, who immediately gave the alarm. The fire-engine speedily arrived, but, owing to the snow on the ground, there was so much difficulty in obtaining water, that the premises were destroyed. For some time previously to this, the brother, whom the plaintiff supposed to be sleeping in the warehouse, was in the habit of sleeping with a female at a lodging-house on Garlick-hill. The evening before the fire took place, having locked up the warehouse as usual, at about five o'clock, he went to

the plaintiff's house, in the Haymarket, and from thence proceeded to Stangate, Lambeth, to meet a friend, with whom he was to go to the Opera, having obtained two orders of admission for that purpose. He reached Stangate at 6 o'clock, and remained there drinking with his friend in a public-house until half-past 10 o'clock, when they set out for the Opera. After the ballet was over, they proceeded to the Saloon tavern, where they remained carousing until near 5 o'clock on Sunday morning, when they thought it time to return home. They walked together as far as Charing-cross. They there parted, and the plaintiff's brother went home to his lodgings on Garlick-hill, passing through Bridge-street and Thames-street, and was let in between five and six o'clock. At about half-past ten, he was informed of the fire. Having made out an account of the property destroyed by the fire (stated at 1,900*l*.), the plaintiff presented his claim to the office; but several circumstances having concurred to excite strong suspicions in the minds of the directors, they thought it prudent to resist the claim, and have the matter investigated before a jury. The statement of the brother, however, was corroborated in most of its material points by the evidence of other witnesses; and the watchman, who gave the alarm, swore, that he was at his post, opposite the plaintiff's premises, from 8 o'clock in the evening to the time when the fire was perceived, and that it was impossible, that any body could have gone in or out unknown to him. The property, also, alleged to have been destroyed, was clearly proved to have been in the warehouse down

to the period when the fire took place.

Amongst the various circumstances of suspicion, relied upon by the defendants, it was stated by Amanda Gwillen, the woman who kept the brothel where the plaintiff's brother lodged, that one day, while she was cooking in his room, Mary Dodson, the female with whom he lived, said to him, "If I were you, Thurtell, I would sell off all the goods, and set fire to the warehouse," to which he replied, "Don't say so, Mary; if any one were to hear you, and such a thing were to occur afterwards, they would say, I set fire to it purposely." Upon her cross-examination, however, she admitted, that, subsequently to the fire, she and Thurtell (the brother) had a squabble, which led to a hearing before the alderman at Guild-hall. Another witness, named Cowderoy, a waiter at the Golden-cross, Charing-cross, stated that he was engaged in December, 1821, to keep a public-house for the plaintiff's brother, in Long-acre, who, while he was in his service, proposed, that the witness should take a house in his own name, and put goods into it; and having insured them, he (Thurtell) would remove them, and set fire to the house. This proposal the witness declined. On his cross-examination he said, that he remained in his service three weeks after this; and although he knew of the fire a day or two after it occurred, it was only last month he mentioned this circumstance to the directors. He admitted, that, in a conversation with Thurtell, about three months ago, he threatened, unless he paid him 17*l*, which he owed him, to mention this to the directors,

The judge, in his charge to the jury, observed, that although the witness Thurtell had proved himself to be in the lowest state of degradation, in point of moral feeling, yet they were not, therefore, to presume, in the absence of all evidence of the fact, that he had set fire to these premises; particularly as the other evidence in the case had corroborated the material parts of his account, and proved it to be almost impossible that he had committed the act of which he had been suspected. Verdict for the plaintiff.

JULY.

1. **DRAMATIC PUFFING.**—*Mademoiselle George* is now travelling through the departments of France, and exhibiting on their boards that rather extravagant mode of performing, which is not always relished in the capital. She carries with her a kind of herald of her fame; and this person in one of the journals styles her the "*Queen of fine actresses—the most beautiful woman at present on the stage.*" The following is the circular letter, by which the manager of the theatre of Angers invited the chief persons of his district to attend the performances of this "*Queen of beautiful actresses:*"—

"*Monsieur,—Mad. George, the first tragic performer of France, and of the two theatres of the capital, having been pleased to consent to appear on the stage to which I endeavour to draw the honourable public, I dare hope that you will deign to encourage my efforts by a tribute of admiration in favour of the most beautiful woman in Europe—such a woman as has not her equal in all the pomp of her*

beauties. The pupil of Talma and Mademoiselle Raucourt, and, above all, of beneficent and generous Nature, in coming to see Mademoiselle George, you will see at once, Nature, Talma, and Raucourt. In the fine part of Semiramis she will appear with 100,000 crowns' worth of diamonds. All the ornaments, which she wears in that tragedy, are precious stones. "I present very humble respects, &c."

3. CORK.—In the parish of Castlehaven, within 3 miles of Skibbereen, the rector, the Rev. R. Morritt, finding it impossible to obtain payment of his tithes, procured a warrant of distress, which was intrusted to his proctor, and five other men, who were appointed special constables, to execute it on the parties. For the more effectual preservation of the peace, a party of the police, consisting of Lieut. Hawshaw, and four mounted and seven dismounted men, stationed at Skibbereen, were ordered to assist them. Accordingly, they proceeded to the ground, and seized some cattle, when the country people, assembled in great numbers and resisted. The police and constables were obliged, in their own defence, having abandoned the cattle, to keep up a constant fire, which was returned by the country people with volleys of stones. Finally, the police and constables were obliged to retreat, leaving one of the police, named Bowen, and the proctor, named Driscoll, killed; several of the party were wounded. The country people had two shot dead, and 10 or 12 wounded. Such was the rapidity of the retreat, that Lieut. Hawshaw lost his cap, which was knocked off by a stone.

4. FANCY BALL AT COVENT

GARDEN.—A grand fancy ball, given in aid of the Spanish subscription, at Covent-garden Theatre, was numerously and splendidly attended. The house was fancifully and well fitted up. The front boxes of the dress circle were formed into a temporary gallery for the accommodation of the Ladies Patronesses and their immediate acquaintance: the pit was floored over to the level of the stage; and the stage itself, covered with a canopy in the style of a marquee, was backed by panoramic views. The portion of the boxes reserved for the Ladies Patronesses was handsomely furnished with couches and chairs, ornamented with draperies of light blue and gold, and separated by curtains of the same material from the other part of the theatre. The side boxes on the right hand of the stage were filled with musicians, who, together with a military band placed above, in the second circle, played waltzes and quadrilles during the greater part of the evening. Three circles for dancing were enclosed upon the area, which extended from the back of the stage to the front of the dress circle; the house was hung from top to bottom with banners, and embellished with additional chandeliers; the saloons were filled with tables for refreshments; and the lobbies and staircases, fully thrown open, formed an agreeable promenade for those to whom the crowd upon the lower area proved oppressive. The company was brilliant, and the dresses were generally tasteful and magnificent. After the accounts of receipts and disbursements were made up, a balance of 372*l.* 6*s.* was all that remained, after paying charges to the amount of between

1,800*l.* and 1,400*l.* This balance was paid over to the Spanish Committee.

EDMONTON FAIR.—COURT OF KING'S BENCH, WESTMINSTER—*The King v. Bigley.*—This was an information in the nature of a *quo warranto* against Mr. Bigley, the owner of the field on which Edmonton fair is partly held, requiring him to show by what authority the fair is holden. To this the defendant pleaded a custom for such fair. The affirmative of the issue being on the defendant,

Mr. Scarlett, on his behalf, called a number of witnesses, who proved, that the fair had subsisted for many years; that it was originally held in the yard of the Bell, but was afterwards removed to Mr. Bigley's field, which was a more commodious situation; that it was attended by many of the neighbouring gentry and their families, and by thousands of persons from London; that there were many sports, shows, and amusements provided, and also booths for the sale of light articles, as toys, clothes, hardware, ribands, and ornaments.

Mr. Solicitor-General, for the Crown, contended that custom was no plea for a fair; the party, who insisted on a right to hold it, must rely on a grant; and though it might not be necessary to produce the grant, yet he must show such a prescription, as would induce the jury to presume it. In the present case, however, not even a custom was shown for a fair, which was an institution for the purposes of commerce, and not merely for shows and the sale of toys.

Mr. Justice Best interrupted the learned solicitor, and told him, he thought there was no evidence

to sustain the defendant's case. A fair could be evidenced only by prescription; it must have its proper officers; it must be established principally for the purposes of commerce, and not for mere recreation and pleasure. The fair at Edmonton had not been shown to bear any of these characteristics.

The jury immediately found a verdict for the Crown.

5. A statement of the quantity of porter brewed in London by the twelve first houses, from the 5th of July, 1822, to the 5th of July, 1823:—

	Barrels.
Barclay, Perkins, and Co.	351,476
Truman, Hanbury, and Co.	219,187
Whitbread and Co.	213,841
Reid and Co.	190,079
Coombe, Delafield, and Co.	140,909
Felix Calvert and Co.	107,838
Henry Meux and Co.	103,409
Goodwyn and Co.	72,076
Elliott and Co.	61,610
Taylor and Co.	58,736
Tickell, Joseph	24,066
Cross and Co.	19,501

A statement of the quantity of Ale brewed by the six principal houses in London, from the 5th of July, 1822, to the 5th of July, 1823:—

	Barrels.
Goding and Broadwood	28,538
Wyatt and Son	19,415
Charrington and Co.	16,636
Goding, Thomas	15,266
Ball and Co.	12,136
Hale and Co.	6,435

8. **PERSIA.**—The Persian Minister, Mirza Mahomed Saadit, having effected the object of his mission to this country, and made the necessary arrangements for his departure for Russia, in the *Jasper*

sleep of war, issued; as his last public act, an official notification from the Prince Royal of Persia, to the people of England, and the several other European nations, of which the following is a copy:—

“As many families from European countries have lately resorted, some to America and New Holland, and others to Georgia and Daghistan, as settlers; his Royal Highness Abbas Mirza, the Prince Royal of Persia, through the medium of his minister at the Court of Great Britain, personally assures all those who may be inclined to take up their residence in his kingdom of Adsirbijan, of which the capital is Tabris, that, on their arrival in the district of Sauvidgeboulogh, he will immediately assign to them portions of land, with residences attached, and every requisite for their comfort and subsistence. The soil will yield abundant crops of wheat, barley, rice, cotton, and every species of fruit or grain they may choose to cultivate; and the natural produce of the country exceeds that of any other quarter of the globe. Besides receiving grants of lands, such settlers shall, as long as they reside in Persia, be exempt from all taxes or contributions of any kind; their property and persons be held sacred, under the immediate protection of the Prince himself, who further engages that they shall be treated with the greatest kindness and attention, and, as is the custom of Persia, be at full liberty to enjoy their own religious opinions and feelings, and to follow, without control or interruption, their own mode of worship. As all travellers, who have visited Persia, agree, that it is the best climate under the sun, it is only necessary to state, by way of

circumplification, that it is the usual place of resort for persons whose health has been impaired by a residence in India, and it rarely happens, that such invalids do not speedily become convalescent from the change.

“His Royal Highness, in issuing his commands to give publicity to these sentiments, is prompted by an ardent desire naturally to promote the welfare of settlers, and the improvement of his country; which, he is convinced from past experience, would be greatly advanced in knowledge; and materially benefitted in every point of view, by a more extended and familiar intercourse with Europeans, and especially with those whom he has ever felt pleasure in designating ‘his English friends.’

“The undersigned, in thus promulgating the views and wishes of his Prince, in obedience to the positive commands with which he has been honoured, scarcely conceives it necessary to offer any observations upon the assurances given in this paper, as the character of his Royal Highness is so well understood, and has been so duly appreciated by the subjects of Great Britain who have for years been domiciled in Persia, and to which many authors, both of that and other countries, have added their testimony; but for the satisfaction of such individuals as may not have the facility of obtaining information upon this point, the Prince’s devoted servant, and humble representative, begs leave to state, that his Royal Master has ever been characterized as amiable, just, benevolent, and honourable in the highest degree; though dignified in his deportment, extremely affable; proverbially of a liberal, enlightened, and magnanimous

possessing great intellectual powers, which are nobly applied; a strenuous advocate for pure morality, and religion without bigotry; the friend of the oppressed and needy; uniformly administering strict and impartial justice, but at the same time exercising his high prerogative with the most merciful consideration; ardent in his endeavours to cultivate the minds, and improve the condition of all classes of his subjects, as far as the circumstances in which he is placed will admit: indeed, it may be said with truth, that he is pre-eminently distinguished for every virtue that is estimable in civilized society, or that can adorn and dignify the monarch or the man.

MANOVED SAWLIT.

"No. 25, Great Corn-street,
London, July 8."

10. FRENCH LOAN.—*Paris, July 10, 7 o'clock, p. m.* The French loan of 28,114,516 of *rentes* was adjudged to the house of Messrs. de Rothschild Brothers and Co. Four o'clock was the hour appointed by the official announcement of the minister of finance for receiving the tenders of such companies as intended to bid for this loan. The public rooms of the minister of finance in his hotel, in *Rue Neuve des Petits Champs*, were thrown open to the public about two. By three, a considerable number of persons had collected. At four, the suite of public rooms was nearly filled, and the apartment, where a kind of bureau was placed for the contractors and the ministers, was crowded to excess. At a few minutes past four, a bustle in the crowd announced the entrance of the ministers. Not only the ministers of finance and war attended, but the minister of the interior, and the minister of

marine. M. de Villele declared the sitting opened, and ordered the royal decrees to be read, which authorized the sale of the twenty-three millions of *rentes*. This decree, and likewise the minister's regulation, fixing the conditions of bidding, &c., were read. M. de Villele then formally deposited on the bureau the sealed paper containing the minimum for which he would allow the *rentes* to be adjudged. These formalities being completed, the representatives of the different companies, who intended to bid, deposited their tenders.

The lists were four, and delivered in the following order—1st, Messrs. Lafitte and Co.; 2nd, Messrs. Grefsalhe, Sartorius and Co.; 3rd, Messrs. de Rothschild Brothers; and 4th, Omer de Lapanouse and Co. After they had all been deposited and numbered, M. de Villele began by opening M. Lafitte's, which was numbered first. M. Lafitte, who had combined with Ardouin and several others of the liberal bankers, made a tender of 87f. 75c. for every hundred of *rentes*. This offer excited a little movement in the assembly, as the *rentes*, that day, left off at 90 francs 25 cents. M. Grefsalhe and Co.'s tender was then opened, and read. It contained exactly the same offer of 87f. 75c. Messrs. de Rothschild and Brothers' tender was the third in the order of presentation, and the third read. It excited not a little movement in the meeting by its discrepancy with the two former. It offered to the minister for his *rentes* 89f. 55c., being nearly 2 per cent. above them. The fourth and the last, was that of M. de Lapanouse. It was the same as that of M. Lafitte and M.

Geoffalho. The minister, after recapitulating the contents of the four sealed papers, announced, that he adjudged the loan to Messrs. de Rothschild and Brothers, their tender exceeding his sealed minimum, which of course was not opened. The minister afterwards announced, that his minimum was 88f. 50c. Though the bidding of Messrs. de Rothschild was much higher than the rest, it was still on 'Change considered so good a bargain, that their certificates were sold at one and a half premium. The three other companies, it was supposed, from the uniformity of their biddings, had formed a coalition to keep the loan among French capitalists.

16. CONFLAGRATION OF THE CHURCH OF ST. PAUL'S AT ROME.—In the night between the 15th and 16th, the workmen, who had been employed in mending some pipes and gutters to carry the water off the roof of the church of St. Paul, had, either by imprudence or forgetfulness, left a little chafing-dish on the ceiling, which was entirely of wood: it is not known whether some sparks fell, or whether the mere heat of this fire communicated a flame to wood already too combustible from age. About four in the morning, a traveller, happening to pass by on horseback, saw the flames pouring out in volumes from this magnificent edifice. He immediately, by dint of shouts and knocking at doors, awoke the neighbours, and ran afterwards through the town, calling out for firemen and the necessary assistance to extinguish the fire; but in spite of every exertion, nothing could save this noble building, the flames having gained too great strength, and the distance being too considerable to allow of

any aid arriving in time to save this monument, so interesting to the Catholic religion, and so valuable for its contents. The beautiful cedars of Lebanon were consumed; a vast quantity of pillars lay strewn about, and some were even calcined by the heat of the flames. The firemen performed prodigies of valour, and several threw themselves into the middle of the flames, to cut off or pull down fragments of the burning pile; they did every thing, in fact, that men could do to save it, but in vain. This calamity was carefully concealed from the Pope, in order to spare his great age a grief which might affect him too much.

SEDUCTION AND ATTEMPTED SUICIDE.—A cause, remarkable for its romantic details, came before the sixth Correctional Chamber at Paris. The *Sieur* Assolari de Bergamo, aged 28, had in 1821 been obliged, in consequence of the political commotions which then agitated Piedmont, to leave Turin, where he studied medicine. On taking refuge in France, he fixed his residence at Paris, where he lodged in the house of a locksmith, who had a young and handsome daughter. Assolari abused the advantages which this situation afforded him, and the young woman became the victim of his arts. The father having discovered the intrigue, reproached the Piedmontese for his conduct, and a quarrel ensued, in the course of which Assolari hit with such fury the thumb of his host, that the nail came off. After this scene Assolari carried off his mistress to Versailles, where they lived together for a few days. But destitute of the means of existence, and reduced to the last degree of despair, the two lovers formed the

resolution of putting themselves to death. They hesitated between pistols and poison. Deciding at last for the latter, they took each a draught composed of white vitriol infused in water. The medical witnesses proved that this infusion was not of a nature to cause death, and in fact Assolari and his mistress escaped with some suffering, in consequence of the beverage acting as an emetic. This event, however, led to inquiry, and Assolari was arrested. The Chamber of Accusation set aside the charge of poisoning and also of abduction, as the girl had completed her 16th year when she followed her seducer. The only charge, on which proceedings were founded, was the assault on the father. Assolari was sentenced to one year's imprisonment, and 50 francs' fine.—*Journal des Debats*.

NEST OF COINERS.—On Monday se'nnight a man of the name of Whitehouse, a labourer, gave information at the police-office of Birmingham, that, as he was digging in a garden belonging to one Theodore Moore, residing near Vauxhall, in that town, he felt his spade repeatedly come in contact with some hard substance; when, on a further examination, he discovered that the soil, where he was digging, and on which cabbages had been planted, was not of any considerable depth, and that it was supported by a boarded floor, composed of a quantity of planks. His curiosity led him to examine farther, and on removing one of the planks, he discovered a large cave, about seven feet deep and 12 feet wide. The man, to corroborate his tale, produced some base money, consisting of shillings and half-crowns, which he said he had picked up near the spot. The offi-

cers, on receiving this information, lost no time in proceeding to the place. The parties, suspecting what was plotting against them, were found busily engaged in filling up the hole. On searching, however, the officers discovered a stamping-block, which had evidently the appearance of a press having been recently fixed thereon, but this latter article had been timely secreted. The family of the Moores, consisting of two men and a woman, were taken into custody, and on Monday were brought up for examination at the public-office, when, no evidence appearing against them (Whitehouse having absconded), and nothing having been found on the premises sufficient to criminate them, they were discharged. It was suspected, that Whitehouse was equally criminal with the others, but that he had been led to give the information in consequence of a quarrel having arisen between them, and that his absconding arose probably from the influence of a bribe, or from a suspicion, that while endangering the lives of his associates, he might be unconsciously bringing his own into peril.—*Birmingham Chronicle*.

THE FRENCH PRESS.—A list of the French newspapers published at Paris, with the amount of the number of copies printed, will show, that, notwithstanding the low price of newspapers (a paper being sold for 2d. English), there is by no means the same extent of intellectual appetite there as in England. The *Moniteur* publishes from 3,000 to 4,000; *Journal des Debats*, 11,000; *Journal de Paris*, 8,000; *Courier Français*, 5,000; *Quotidienne*, 3,500; *Drapeau Blanc*, 3,500; *Journal du Commerce*, 4,000; *Gazette de*

France, 2,200; *Pilote*, and *Etoile*, together about 4,000; *Oriflamme*, 500; *Constitutionnel*, 17,000 to 18,000. These are all daily papers: no weekly newspaper, or three days newspaper, is published in Paris.

17. YORK—RAPE.—John Burrows was indicted for committing a rape upon the person of Miss Elizabeth Pullan, daughter of John Pullan, gentleman, of Blubberhouses, in the West Riding, on Sunday evening, the 15th of June, 1823.

The prisoner was a robust-looking young fellow, about 28 years of age, of stern and coarse features, plainly dressed, and, in appearance, an agricultural servant.

The prosecutrix, an interesting-looking young girl, of mild and prepossessing appearance, was the principal witness. She described her having set out on the Sunday evening from her father's residence at Blubberhouses, and her arrival at West-end, where she joined a party, who afterwards went and took tea at Mr. John Kay's house. After spending the evening with this family, she set out on her return home, between six and seven o'clock; and soon after she entered the field-path, she met an acquaintance, young Mr. Horseman, with whom she stopped a short time in conversation; they then separated, as he was going towards West-end, and she to her father's, which was the opposite way. She had not long parted from Mr. Horseman, when she observed a man lying down in the open field adjoining the pathway she was traversing, and she recollected, from his dress, that he was one of two men, who passed her while talking with Mr. Horseman. The prisoner was the person she

saw lying on the grass; she did not know him before, but was positive as to his identity; when she came up to him, he said something to her, which alarmed her, and induced her to hurry by him. After she had passed him two or three yards, he got her clothes behind her back, and attempted to restrain her. She desired him to desist; he said he would have a kiss, and then asked, why she stopped to speak with the young man just before. She replied, that the person (young Mr. Horseman) was far more respectable than he (meaning the prisoner) was, and she again insisted upon his not impeding her way; the only house on the pathway was about a quarter of a mile from the spot where the prisoner seized her. The prisoner's companion was passing close by at the time, but he passed on, although she implored his assistance. Miss Pullan then described the particulars of the violent outrage, which the prisoner proceeded to commit upon her, and he prevented her from screaming by putting his hands upon her mouth and throat. She was at length, after two or three minutes, released from the prisoner by two labouring men who were accidentally passing.

Cross-examined.—She had not the smallest doubt of the identity of the prisoner: and in answer to several questions from counsel, she persevered in the detail she had already given respecting the outrage perpetrated by the prisoner. She admitted, that he did not attempt to run away when the two men released her from his grasp, but that he said, nothing could harm him, or words to that effect, and followed the men quietly along, as they were escorting her

home; giving his name, and telling where he lodged, which was close to one of her father's fields; he entered the house, when he came to it on their way, and said, that they always knew where to find him. She utterly denied having complained at the time, that he had soiled her bonnet and dress. She did tell him, when he first pulled at her, to desist and not tear her clothes.

James Browne deposed, that, on this Sunday evening, as he was passing along the path with John Hall, they saw the young girl in the situation in which she described herself to have been with the prisoner, and on hearing a noise, and seeing that she stretched her hand out for assistance, they went up and rescued her. She seemed very much distressed at the treatment she had received. As they escorted her home, the prisoner followed on very carelessly, and entered his lodging.

John Hall, who accompanied the last witness, confirmed his statement.

Mrs. Hannah Pullan, the mother of the young lady, said, her daughter was just 16 years of age, and was conducted home to her about seven o'clock on the evening of Sunday, the 15th of June last. She was then very much agitated, and complained of being very rudely treated by a man on the way; but it was not until the following morning, after her father had gone out to look after his survey, that she disclosed the whole nature of the outrage which she had suffered. The witness, naturally apprehensive for the consequences to her daughter, immediately apprised her father, who desired them to be all silent upon the subject, until he could trace out the

offender, which he did before the Thursday following.

Mr. John Pullan, father of the prosecutrix, merely related the information communicated to him by his wife, and the immediate steps which he took to ascertain the offender. Prisoner was, he understood, a Cambridgeshire labourer, who had been lately employed in Yorkshire, in embanking roads.

Cross-examined.—The prisoner did not attempt to go out of the neighbourhood; he was at his work in the usual way, on Monday and Tuesday of the week after the particular Sunday.

John Beechcroft, the constable, by virtue of a warrant which had been put into his hands on Thursday morning, went in search of the prisoner, and found him as if hiding in a plantation; he pretended to be poorly, and that he was only resting before he got to West-end, where he wished to enjoy a drink of ale. The witness said, he feared he wanted something else besides the ale, and that he must be frightened as well as sick, after what he had done on the previous Sunday. He said, he knew nothing about the Sunday, for he was "tossified, or tossed," during most of that day.

Mr. Shaw, a medical practitioner, gave the usual evidence of injury, for the prosecutrix, which the occasion required.

Mr. John Elliot was called. He said, that he had been the chief overseer of the poor in the town of March, in Cambridgeshire. He knew the prisoner as being a native of that part of the country, and chargeable to their parish; he knew him to have been in a violent state of derangement towards the close of the year 1820; he got parochial relief, but was left under

the care and control of his parents, until the early part of the year 1821. About the spring of that year, they said they could no longer take charge of him, and they consigned him over to the parish; he was then very violent, and required frequently two or three men to look after him; they transmitted him, under the custody of two keepers, to Bedlam, in London, where he was confined about 18 months; the governors then wrote down to Cambridge-shire, saying, that they could keep him no longer, as his year was expired, and they transferred him to Bethnal-green hospital, to which place the witness soon after went to fetch him down to his own country; he brought him home at the end of last November, and they kept him in their post-house until last February or March; he was then mostly quiet, and anxious to get out of the house to earn his own bread. He applied to have some money advanced to him by the officers to enable him to pass into Lincolnshire, where he said he thought he could get better work than if he remained in Cambridge-shire; but they refused to give him any money, as they rather wished him to remain with his family, where he would be less exposed to augment expense upon them a second time. They, however, yielded to his application to be permitted to go at large, and they never heard any thing more of him, until this unfortunate business transpired. On the journey down from Bethnal-green, the prisoner on getting an extra pint of beer was quite incoherent.

The verdict was—Guilty.

28. WATERFORD ASSIZES. — Henry Delap, a police-constable stationed at Tralee, was assign-

ed for the murder of Bartholomew Magrath, on the 14th of April last, at his house near Annstown, by shooting him through the head.

The deceased and others had cut and collected, on the strand at Annstown, or Benvoy, a quantity of sea-weed, for manure. The proprietor of the land (Matthew Power, Esq., of Dunhill-lodge), conceiving that this was a violation of his own exclusive right, took possession of the sea-weed so collected. His carts, when in the act of drawing it away, were stopped by the country-people, and the manure rescued. Informations, in consequence of this rescue, were sworn against the deceased and two others, before Henry Sargent, Esq., a magistrate for the county, residing in Waterford, who thereupon issued his warrant for their apprehension; and, with Mr. Power, the complainant, went to the police station at Tralee, to direct Mr. Hely, the gentleman commanding the police there, to send a party to execute the warrant. It was then arranged, that the party should go out for this purpose at three o'clock the next morning; but subsequently, at 9 or 10 o'clock the same evening, Mr. Power, alone, called on Mr. Hely, and prevailed on him, by certain representations, to let the party go out that night.

According to the testimony of the latter gentleman, about three or four o'clock in the morning the party came back, when Delap came to witness, and told him that they had demanded entrance at one of the men's houses in the king's name—that it was not granted—that they endeavoured to force open the door—that a man got out of the window, and attempted to escape—that he called out to him in the

king's name to stop — and that, as he did not do so, and seemed likely to escape, he (Delap) fired at and killed him. Witness could not say he had selected Delap, as he had called on him in the regular routine of duty; but considered him the fittest man that he could have employed, from long observation of his steadiness and good conduct.

The Chief Justice, in summing up, stated, that, in the case of flight, there might be a sufficient justification for firing at a fugitive; provided there were no other means of apprehending him. In the course of his charge, he animadverted severely on the conduct of Mr. Power. After considerable hesitation, the jury returned a verdict of—*Not Guilty*.

The Chief Justice, after formally addressing the prisoner, in the way of caution as to his future conduct, thus proceeded: — “I cannot, however, allow this trial to close, without again making a few observations on the conduct of some of the persons concerned in the transaction. I have already noticed the share, which Mr. Power had, in producing the melancholy occurrence; I must now say, that it would have been much sadder, that he should have been placed at that bar than you. I can conceive nothing more deplorable, than that gentlemen, in vindication of their real or supposed civil rights, should resort to such rigorous and unwarrantable proceedings against men in the humbler classes of society. If persons in the higher ranks will lord it over their inferiors with a strong hand — if, in the assertion of their own rights, they trample upon public justice, or convert the laws, which should afford equal protection to

rich and poor, into instruments of injustice and oppression towards the weak and powerless—is it not in vain to hope, that the common people will feel for them either respect or affection, or that they will refrain from endeavouring to procure for themselves, by violence, that redress, which the conduct of their superiors teaches them to believe is not otherwise to be obtained?

RUSH-BEARINGS.—On the 26th and 27th, the ancient custom of Rush-bearings took place at Ambleside. About seven o'clock on the Saturday evening, young girls, to the number of about forty, went in procession to the church, preceded by a band of music, each carrying in her hands the usual *rush-bearings*, the origin and signification of which has so long puzzled the researches of antiquarians. These elegant little trophies were disposed in the church round the pulpit, reading-desk, pews, &c., remained there during the Sunday till the service was finished in the afternoon, when a similar procession was formed to convey them home again. In some parts of Lancashire a similar ceremony, under the same designation, formerly prevailed, in which the *rush-bearings* were made in the form of females, with a fanciful rosette for the head. No satisfactory explanation of this ceremony has ever yet been given.

28. COUNTY OF DOWN.—MURDER.—*Patrick McCann*, otherwise *Barnard McCann*, otherwise *James Hughes*, was indicted for the murder of *Owen McCann*, near Lisburn, on the 26th of July, 1813; and although ten years had elapsed, and he had left that part of the country, and had settled and prospered under another name as

a butcher, in the town of Galway, he was there accidentally recognised and brought to justice.

M'Adam was a horse-dealer, with whom the prisoner had been drinking on the day on which the former lost his life; and, tempted by the money in his possession, he murdered and threw him into the canal. The evidence was circumstantial, but conclusive. Although so long a time had passed, the horse and watch of the deceased were traced to the hands of the prisoner.

The culprit, who had escaped the punishment due to his crime for so long a period, had in the interim married a respectable wife in Galway, maintained, for the last ten years, an unexceptionable character, and a family of five children, and had acquired an independence not often found in that rank of life. He was supposed to be worth at least 1,500*l.* of capital, and had 23 acres of land, nearly rent-free, for ever. He, acknowledged to the sheriff, about 11 o'clock on Wednesday night, that he had been at the murder, and was about ten yards off when it occurred—that the person who committed the murder was named James Hughes, and that he took that name when he went to Galway.

On Thursday, he paid the forfeit attached to his crime. Shortly after the drop fell, his great weight broke the rope, and the miserable wretch fell upwards of 20 feet. He alighted on his feet, but, from his hands being pinioned, immediately fell back, and, by the surrounding spectators, it was thought he was either dead or senseless. The soldiers, with a ready humanity, immediately carried him inside the gaol gate, and in a few

minutes he sat upright upon his own coffin, and asked for a draught of water. After a period of nearly an hour and a half had elapsed, he walked up the stairs leading to the platform; he was brought out again; knelt down with the clergyman with apparent firmness; and was more afraid of a second fall than of his approaching dissolution. He was then launched into eternity.

28. EXETER. — The sentence of the law was inflicted upon John Radford for the murder of Sarah Downe. The following is his confession of the deed, dictated by himself:—

"On Friday, the 11th instant, about a quarter before four in the afternoon, I went to the house of Thomas Coles, in the parish of East Worlington, who sold cider, and remained there drinking, in company with Samuel Melhuish, until ten o'clock. About a quarter past nine, Sarah Downe, and Mary her sister, came into the room where Samuel Melhuish and myself were drinking. I asked Mary Downe to drink to me; but she refused, desiring me to give it to the right person, meaning her sister Sarah. I accordingly offered it to her sister, who took it and drank to me; after which, her sister Mary asked her if she was going home; her answer was, "Yes, I am." I then said, "We are all going directly, because it is our direct road." Mary said, "Come then, for I am going now." Sarah answered, "Go on, and I will overtake you." Mary then went towards her home, which was about half a mile from thence. Mrs. Coles said unto Sarah, "You had better sit down, till they are ready to go." I was then sitting in the settle by the fire-side, and

Sarah standing opposite. Mrs. Coles pushed her down by me, saying, "There, sit you down by the side of him." She remained there a few minutes; after which she rose up again, and said she would not stop there any longer, as she must go home. I answered, "You may make haste along if you like;" then drank the cider that remained in the cup, and we three went out together, Sarah and myself taking the direct road towards home, and Samuel Melhuish going across the ground a shorter way. Sarah proceeded some paces in front, with a basket on her arm and a cup in her hand; I followed at a little distance. We had not gone above 26 land rods, when we met William Filp and James Bourn; and, after that, we went on, until we came to a cross road near Worlington town, where I turned away to go to my home. She asked me whether I would not go home with her; my answer was, I would rather not; she replied, "You had better, for I have something to tell you; I asked her what it was; she said, "If you will go with me, I will tell you;" I said, "I do not mind going as far as Bridge-park gate." When we arrived there, she would not tell me, but requested me to go further. I walked with her, until we reached her own home, where we remained till it began to rain. I then said, "I will go home, and do you go in;" she replied, "I won't go in as yet." I asked her, where she would go, then, out of the rain? She replied, "I do not know where, unless we go into Mr. Smith's linhay." I objected, it being so far out of my way. She said, it was not too far, as she would not go in until her sister Mary was in bed. So we both proceeded on, till we came to Mr.

Smith's linhay. After we entered the linhay, she laid down her basket and cup. I demanded again of her, what it was she had to tell me, but she made me no answer. I said, "If you will not tell me what it is, I shall go home, and you must go in." She again refused to go in, saying, "My sister is not in bed; if I go in before she is in bed, she will quarrel with me." Then I replied, "I won't stop any longer, for I must and will go home." She then said, "I will go over the marsh with you, if you will stop till my sister is in bed." I replied, "Yes, if you will tell me, what you have to relate to me." So we went over the marsh together; and on our road I said, "You might as well tell me what that is." She said, "What do you think it is?" I answered, "I am sure I do not know what it might be." She then said, "I am with child by you, and the people tell me, that you won't have me, nor pay towards the child." I said, "No, because it is not mine." She demanded the reason why. I said, "Because you have had two already by other persons, nor do I think you are in the family way." She said, "Yes, I certainly am, and the people tell me the same." I replied, "The Lord knoweth: I am sure I do not." I likewise said, "If you see, I shall have nothing to do with it." With that she abused me very much. I told her, it was not worth her while to abuse me. She then began to curse and swear at me, calling me all manner of names. I said, "Do not swear; where do you think your poor soul will go?" She replied, "I'm d—d if I care what becomes of me;" she still kept on abusing me, and got into a violent passion, which

very much irritated me. I desired her to compose herself, and not give way to passion. She said, "I don't care about being in a passion, nor don't care for you; and I do not care what will become of me: you never shall rest or abide in the country, except you have got me." I said, "Don't say so, for if you do you will set me in a passion, and make me do what I should not do else." She then said, "I don't care what you do," and began to swear very much, calling me a d—d bad fellow, and said, if she was able, she would knock me into that pit. I was in such a great passion, that I knew not what I did, and said to her again, "If you repeat that, I will put you there." She repeated the words, and said, "You may if you like; but if you do, you shall go there too." It was then I gave her a push, and she immediately fell in. I turned round and said, "The Lord have mercy upon me, I have done for her." I went down into the water, and endeavoured to get her out; but it being so dark I could not find her. Upon that I went home praying to the Almighty that he would forgive me.

The unfortunate young man, to the latest moment of his existence, denied having ever had any criminal connexion with the person for whose murder he suffered.

WEST INDIA PROPERTY.—As instances of the depreciation of West India property, the following are adduced in a late petition from the Council of Barbadoes to the House of Commons. They are taken from the records of the court of chancery of the island:—

"The Adventure plantation sold in 1819 for 31,250*l.*—was re-sold Vol. LXV.

in January, 1822, by the master in chancery, for 18,219*l.* 5*s.*

"Oxford plantation sold in 1819 for 25,000*l.*—was re-sold by the master in chancery, in April, 1822, for 16,000*l.*

"Hopeland sold in 1819 for 20,000*l.*—was resold by the master in chancery in June, 1822, for 11,301*l.*

"Quinten's plantation sold in 1819 for 25,000*l.*—was re-sold by the master in chancery in 1822 for 13,630*l.*

"The River plantation was sold in 1818 for 20,000*l.*—was re-sold by the master in chancery in August, 1822, for 11,500*l.*

"Sion-hill sold in 1821 for 24,000*l.*—was re-sold by the master in chancery in September, 1822, for 12,250*l.*"

31. AFFRAY ON MUSSELBURG RACE-COURSE.—Owing to the suspension of business on Thursday in the suburbs and neighbourhood of Edinburgh, it being the fast-day in the West Church parish, the workmen and labourers in that extensive district were unoccupied; and a great number of the latter resorted to Musselburg races. Between twelve and one, as the keepers of the ground were preparing to clear the course for the horses, an Irishman flourished his bludgeon, and exclaimed, "Stand aside; I'll clear the way for you, my honey;" and thereupon he struck a baker, who stood in the middle of the course. The baker returned the blow, which brought seven or eight more Irishmen upon him, who beat him severely before any assistance was afforded him. At length about 70 or 80 bakers were assembled by the shout of "The Edinburgh side," and the Irish retreated into a booth, where they were pursued, and after a

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keen resistance, were apprehended and conveyed to prison by the bakars. The riot was not quelled before two o'clock. The race afterwards commenced.

AUGUST.

ASSIZE COURT OF THE DEPARTMENT OF THE LANDES.—*Murder.*

—This Court has recently been occupied with the trial of two men named *Begu* and *Lafforcade*, accused of the murder (in the year 1816) of a soldier, whose name is unknown. The trial lasted nine days, and 112 witnesses were examined, whose evidence disclosed a scene of shocking barbarity.

It appeared, that the accused, and another man named *Dugers*, lived near the bridge of Oro, and there is every reason to believe, that they were associated for the purposes of murder and robbery. When the French troops returned from Spain, some dragoons were billeted at Oro. One of them who lodged with *Begu*, who kept an inn, possessed a great number of quadruples, which upon one occasion he spread out on a table. This dragoon being compelled to depart suddenly from Oro, buried his treasure in *Begu's* garden. In 1815, two individuals, who called themselves the brothers of the dragoon, came to *Begu*, and wished to dig in his garden, which *Begu* would not suffer. On the 7th of October, 1816, about six in the evening, a stranger alighted at *Begu's* house: the next morning, a quantity of blood was discovered near the remains of a fire in the neighbouring wood; the blood was traced to the *Luz*, a deep river which bounds the forest; and the river being dragged, a

naked body was found, which had been disfigured by fire, and to the neck and feet of which bags filled with stones were tied. The selection of the places where the body had been burned and drowned, and the arrangements which had been made, announced that the crime must have been committed by individuals who were acquainted with the locality of the neighbourhood. The bags, which were tied to the body, had been sewed by an experienced hand: *Begu* was a tailor. It appeared from an inspection of the foot-marks in the forest, that the assassins were three in number; one wore shoes, another shoes and spatterdashes, and the third wooden shoes. It was proved that *Lafforcade*, *Begu*, and *Dugers* constantly wore shoes of this description. *Begu* admitted, that a dragoon, possessing a quantity of gold, had lodged with him, and he also acknowledged, that two persons had wished to dig in his garden; but he strongly denied, that any stranger had come to his house on the 7th of October, 1816. To contradict this denial, three witnesses were called; the two first of whom merely proved, that they saw a stranger in *Begu's* house on the 7th of October; the evidence of the third was more important. He deposed that he was a cow-herd, and that he was in the habit of sleeping regularly at *Begu's*. On the night of the 7th of October 1816, he did not meet with so kind a reception as he was wont to experience from *Begu*. He was only allowed to sup and refresh his oxen, and could not even obtain permission to sleep in the stable. This witness also stated, that, when he arrived at the inn, he found a supper preparing for several persons. He saw *Laf-*

forcade there and a stranger, whose description he gave: when he left the house between ten and eleven o'clock, the stranger was still there. Some witnesses proved the complete identity of the dragoon, who lived with Begu in 1813, the stranger who was seen at the inn on the night of the murder, and the corpse which was discovered in the river. The witnesses concurred in describing the dragoon and the stranger as being robust, and about five feet high, and as having very white hair, and finally, as wanting a front tooth. This description tallied exactly with that of the corpse. On the night of the murder, Dugers and Begu were seen conversing together, and the former said to one of the witnesses, "I have been assisting Begu to perform an operation; keep your counsel, or it is all over with you." Shortly after the commission of the crime, Begu wished to sell a waistcoat, which the person to whom it was offered refused to buy, because it was stained with large spots of blood, partly washed out. It appeared also, that, from the period of the murder, Begu had abandoned his business of tailor, and that his circumstances had greatly improved. The prisoner Lafforcade stated, that he did not see Begu on the night of the murder, and that he was in bed at nine o'clock. The former assertion had already been proved false, by the evidence of the cow-herd, who saw Lafforcade at Begu's house on the night in question; and the latter statement was shown to be equally unworthy of credit by two witnesses, who deposed that Lafforcade had visitors in his house at a very late hour of the night. Another witness stated,

that about midnight cries of suffering were heard to proceed from Lafforcade's house. Nothing of what passed in Lafforcade's house would have been known, had not a little girl overheard a woman who lodged there, and who could not be found at the period of the trial, give the following details to one of her female acquaintances:—After supping at Begu's, the dragoon was brought to the house of Lafforcade, where Dugers was. The three wretches suddenly placed a noose round the neck of their victim, threw him on the ground, and strangled him. "You did not do it well," said Lafforcade: "And yet," replied Dugers, "I put the cord seven times round his neck." The assassins then, by favour of the night, carried the body into the forest, and there, like cannibals, delivered the yet quivering members to the flames, and afterwards threw it into the river. Divine retribution soon exercised itself on Dugers. He happened one day to say to an individual, that he had assisted Lafforcade and Begu to commit a wicked act, that he had been badly paid for it, and that he intended to confess all he knew. Shortly after this, Dugers was found mortally wounded; he had only time to confess his participation in the murder of the soldier, and to tell, that he had been himself killed by one of his associates in crime.

After the counsel for the accused had been heard, the jury immediately found the prisoners *Guilty*. They heard the sentence of their death pronounced without exhibiting any emotion.

It was shown during the course of the trial, that two persons, who had by some means obtained a knowledge of the prisoners' crime,

had died suddenly, under circumstances which left no room to doubt, that their death was caused by poison. In the house of Lafforcade was found a rope with a slip knot, forming a noose, to which human hair of a different colour from that of the murdered soldier was found sticking.

MR. CRAWFORD'S MISSION TO SIAM.—Letters have been received from Singapore, dated the 24th of January, which announce the return of Mr. Crawford to that place, from his mission to Siam and Cochin-China. At Siam his reception was not so favourable as had been anticipated, as will appear from the annexed letters relating to his transactions there. Of the result of the mission to Cochin-China, nothing was known, except that he had been better received there than at Siam. Mr. Crawford returned to Singapore on the 16th of November last :—

“ Translation of a letter from Praya Pipat Racha Balat Kosa, second Prah-Klang, to Mr. Prinssep, Persian secretary to government.

“ The letter of Praya Pipat Racha Balat Kosa, second Prah-Klang at the Court of Prah Maha Makau Si-Ayuthia, to Mr. Prinssep, to make known to him, that the lord of the kingdom of Bengal (Chao Muang Ben Kalla) has sent a letter by Mr. Crawford, the subject of which is, to make known that England is at peace with all the nations of Europe for a long time, and that the lord of the kingdom of Bengal is anxious to be in friendship with the kingdom of Siam, and to increase it beyond the friendship of other times; and he further wishes, that the merchants of Siam should trade to

English ports, whether in Europe or other parts of the world, and that the English should have the same liberty to frequent this kingdom; and that, as the imports on trade in Siam are high, he requests the King of Siam to make them lighter, that by this means the English merchants may be encouraged to extend their commerce to Siam. Mr. Crawford having come as the Envoy from the lord of Bengal to offer presents to his Majesty, and representing the person of the lord of Bengal, &c. &c., the Chao Saya Prah-Klang, First Minister in this department, gave him all assistance, and introduced him into his majesty's presence, with the letter and presents of the lord of the kingdom of Bengal, and explained the contents of the above letter fully to his majesty. His majesty on this caused it to be distinctly made known to his officers of every rank, that the lord of the kingdom of Bengal with good-will had chosen Mr. Crawford to convey offerings to his majesty, with a desire of strengthening the existing friendship and increasing it; and in consequence of that, that merchants might be encouraged to resort with their ships to the kingdom; at all which his majesty is much gratified. In regard to the imports upon trade, Mr. Crawford has been directed by his majesty to confer with the principal officers of that department, according to custom. His majesty has ordered the officers in charge of the magazines to return presents to the lord of Bengal as follows: 10 elephants' teeth, weighing 2 peculs; benzoin, 2 peculs; eagle-wood, 2 peculs; cardamums, 1 pecul; cardamums, small, 3 peculs; tin, 15 peculs; pepper, 150 peculs; sugar,

200 peculs; and gamboge, 5 peculs. These presents have been delivered to Mr. Crawford.

"This letter was written on Tuesday, in the 7th month, on the 8th day of the bright half of the moon, in the year of the Horse, 27th of May, 1822.)"

"Translation of a letter from Paya Choola Racha Mautri to Mr. Crawford.

"The letter of Paya Choola Mautri, collector of the Customs and Duties on ships in the port of the Court of Prah Maha Makau Si-Ayuthia, to Mr. Crawford.—The lord of the kingdom of Bengal commanded Mr. Crawford to come to Siam to open the way to friendship and commerce, and to request permission for English ships to trade to this capital, and permission to buy and sell with the merchants of Siam, paying duties as formerly. The Rajah Prah-Klang directs me to express his satisfaction at the contents of the letter of the lord of the kingdom of Bengal, and to address a letter to Mr. Crawford in the form of an agreement, to say, That if English merchant ships came to the port of the capital, upon their arrival at the mouth of the river they shall be searched by the Governor of Paknam, and their small arms and cannon be landed, according to former custom, and then the ship conducted to the capital. As soon as they are anchored, the collector of Customs shall afford all assistance in buying and selling with the merchants of Siam, and the duties and charges shall not be more than heretofore, and shall not afterwards be raised. Let the English merchants come to Siam, to sell and buy in conformity to this agreement.

"This letter of agreement was written on Thursday, in the 7th month, the 2nd day of the dark half of the moon, in the year of the Horse, (8th of June, 1822.)"

Between the 1st of September and the 31st of December, 1822, 93 vessels, measuring 32,072 tons, had arrived at Singapore, and 87 vessels, measuring 32,080, had sailed from thence. The imports within the same period amounted to 1,574,518 dollars, and the exports to 1,364,445 dollars.

3. An atrocious attempt to assassinate S. Horrocks, esq. (M. P. for Preston in Lancashire), was made on his return from church, by a wretch, named Riding, who attacked him with a cleaver, The blow was given with such force, as to cut through Mr. Horrock's hat, and make a deep incision into the skull. The villain made, a second, a third, and fourth attempt to cut at the head, all of which blows were received on Mr. H.'s left arm and hand. After some struggling he was secured. Riding was a spinner, a single man about 24 years of age; and the reason he alleged for his horrible attempt was, that Horrocks and Co. in a turn-out, about two years ago, were the first to lower the wages. He was subsequently tried, found to be insane, and committed to the lunatic asylum.

4. GILL v. GILL.—This was a petition from Mrs. Gill, praying that a writ *De inquirendo lunatico* might issue against her husband. The allegations in support of it chiefly related to an unconquerable delusion, into which Mr. Gill had fallen as to the fidelity of his wife. He had brought two actions for criminal conversation with his wife against a gentleman of his own county (Hereford), which were

tried in Lancashire, and in each he was defeated without any evidence being called for the defence. Mrs. Gill had afterwards proceeded against him for the restitution of conjugal rights in the court of Arches, and obtained a decree in her favour. The main evidence of his insanity was derived from his own letters.

The Lord Chancellor proceeded to comment upon the merits of the petition. He distinguished between the writ *De inquirendo lunatico*, which the petition prayed, and the issuing of the commission of lunacy, and observed, that there seemed to be a very material defect in the evidence, which he did not conceive it was possible for the Court to get over—there was no affidavit to bring circumstances of the insanity up to the present period. With respect to the circumstances set forth in the affidavits, they seemed to resolve themselves chiefly into one particular delusion which possessed Mr. Gill's mind as to the supposed infidelity of his wife. It was very easy to see, that a sane man, having got it into his mind that he was wronged in the most tender point, would not regard the conduct of his wife with the same feelings and views with which a jury would consider the facts of that conduct put in evidence before them. His pertinacity in bringing the second action for the same affair, Mrs. Gill's innocence notwithstanding—and every thing went in presumption of her innocence—would be no proof of unsoundness of mind. But this was not all. Mrs. Gill had proceeded in the Arches court for the restitution of conjugal rights, by which she seemed to seek to re-establish a community of interests with her

husband as with a sane man. He did not say that her suit in the Ecclesiastical Court was to debar her of a remedy here, if the lunacy could be established: but the law was always tender of allowing wives to petition in lunacy against their husbands. How was it, that this lady could find no relation of the family to bring this petition? He did not say that the Court would in no case admit the petition of the wife; but where a wife had manifestly treated her husband as sane, the Court must hold the matter in doubt, especially with that defect of evidence which he had before pointed out. There were circumstances connected with this case which had come to his knowledge by another channel, and which rendered the subject very painful to his feelings. It appertained to his office to affix the great seal to the commissions of the peace. On the renewal of the commission for the county of Hereford the last time, the name of Mr. Gill, which had always been in the list before, was omitted. It was customary for the lord-lieutenant, on remitting the lists, to assign some causes for the omission. But it so happened, that there was a necessity on this occasion for instantly affixing the seal to the commission, and the matter was left to after-explanation. He had received letters from Mr. Gill upon the subject since, which were written with perfect propriety, and did honour to his capacity. He had also acted as under-sheriff of the county of Merioneth the year before last, which was considerably after the period of the alleged insanity, with much credit to himself. Under all these circumstances, he was of opinion that the petition ought to be dismissed.

6. MAIDSTONE.—William Donallan, alias Donally, was indicted for the wilful murder of Bridget Donallan, his wife, at Chatham, on the 19th of Sept. 1818, by drowning her in a well.

In the year 1816 the prisoner, who had been previously a soldier, was brought as a deserter from Portchester gaol to the dépôt of the 98th regiment (to which he belonged), at the Isle of Wight. The regiment being then in Canada, he, together with his wife and two children, was sent to America; and in 1818 he returned to this country, and was quartered at Brompton. In September in that year he was billeted at the Duke of York public-house, and a back kitchen, to which was attached a bed-room, was assigned to him and his family. His wife was then in an advanced state of pregnancy. On the morning of the 19th of September, the deceased was missing, and the prisoner, being asked by the wife of a serjeant, what had become of her, said, she had gone off with a soldier of his regiment, and taken 3*l*. with her, and her clothes, leaving him but 15*s*. He then proposed to the serjeant's wife, who was preparing to join her husband at the Cape of Good Hope, that she should cohabit with him. She treated the proposition with derision, and told him, she had no doubt his wife would return to him in a day or two, knowing her to be a woman of correct habits. He, however, said, he would be d—d if his wife would ever be seen in Chatham again. On the same day, the serjeant's wife agreed with the publican to take the apartments which had been occupied by the prisoner, who was let into possession of another room in the house. Upon

examining the prisoner's bed, there were stains of blood upon the bolster, the sheets, and the ticking. This circumstance, however, excited no suspicion against the prisoner, and he remained in the house for a week after. Immediately under the window of the room was a well. In a few days after the deceased was missing, it was observed that the water was tainted and unfit for use. At the end of three weeks something was discovered in the well, which excited curiosity, and a man being sent to examine it, the body of the deceased was brought up in a state of nakedness and putridity. No marks of violence were discernible, from the length of time the body had lain in the water, but no doubt was entertained of her identity. It was admitted on the part of the prosecution, that nothing would turn upon the nakedness of the body, as it was the practice of the lower orders of Irish to sleep in that state. At this time the prisoner had left Chatham, having been discharged from his regiment, and no traces of him could be obtained. In the year 1819 a private in the 2nd West India regiment, named Thompson, who was stationed in the island of Barbadoes, and had been a serjeant in the 98th in the year 1816, when the prisoner was received at the dépôt in the Isle of Wight, happened to pick up at the guard-room door, a piece of an old newspaper, containing an account of Mrs. Donallan's murder by her husband, which brought to his mind the conviction that the prisoner was the man. In the month of March, 1822, Thompson happened to be quartered at Clanmorris, in the county of Mayo, in Ireland, where the prisoner then re-

sided. Being on duty one day, the prisoner passed the barracks, and he immediately recognized him as an old comrade. They fell into conversation, and Thompson asked him, how Biddy and the children were, meaning the prisoner's wife. The prisoner became much agitated, and answered, that his wife died, or that he had buried her (which the witness could not say), at Chatham, in 1818. In a day or two Thompson communicated his suspicions to Captain Smith, and in consequence of his information, he and two other soldiers were sent by the honourable Denis Browne to desire the prisoner to attend him. The prisoner being informed of the message, became again violently agitated, and expressed a wish first to put on a clean shirt, which he was incapable of doing without assistance, from the extreme perturbation at the communication which had been made to him. Upon his appearing before Mr. Browne, he was sent to this country to answer the charge. The prisoner stood for trial at the last assizes, but in consequence of the absence of material witnesses, his trial had been postponed. Two circumstances were admitted to be favourable to the prisoner—first, that within a week after his wife was missed, he had drank of the water of the well; and secondly, that he had made no attempt to escape, when suspicion was attached to him.

The prisoner was without counsel; but he handed in a written defence, wherein he solemnly protested his innocence.

Mr. Sergeant Onslow recapitulated the evidence, and left the jury to determine three questions—first, whether they were satisfied of the deceased's identity; second,

whether the prisoner was the author of her death; and thirdly, whether the deceased came by her death in the manner charged in the indictment.

The jury deliberated for some time, and found the prisoner—*Guilty—Death.*

A GHOST. — Nearly all the inhabitants of Abbeville, near St. Denis, attended the Court of Assizes at Paris, to hear a singular case of theft tried. A widow, named Tronet, had for a servant a young fellow called Grimperel. All at once he gave his mistress warning, though he had no cause for discontent, assigning as a pretext for leaving her, that his sleep was disturbed every night by the ghost of his old master, who had been dead about a month. The widow considered it very extraordinary, that the ghost of her husband should pay the man a visit, and take no notice of her. However, she was not able to overcome the prejudices of Grimperel, who went away. On the 25th of June following, the widow heard a noise in her chamber, and believing the ghost had come at last, was in very great terror. The next day she discovered, that she had not been alarmed by a phantom, but that a thief had broken into her house and robbed her of 600 francs, besides various articles of plate. Twenty months passed without any discovery of the robbers; but it happened at last, that, in pulling down an old wall belonging to Sieur Milleret, proprietor of the house where Grimperel lodged, they found part of the money taken from the widow, with several articles known to be her property. Grimperel was found guilty, and sentenced to five years imprisonment and the pillory — *Paris paper.*

8. ROBBERY AT LAMBETH PALACE. — The neighbourhood of Lambeth was thrown into the greatest confusion by a report from the Palace, that a gang of robbers had broken into and plundered the principal rooms. The thieves had certainly calculated upon a great booty; but they were disappointed if they expected much plate, as his Grace had, just before his departure from town, sent eight chests of plate off to Messrs. Rundell and Bridge's—a precaution, which had been taken ever since the great robbery at the palace 35 years ago.

The magistrate at Union-Hall, immediately ordered that all the police-offices should be informed of the robbery, and that two officers, Glannon and Gill, should, with the utmost exactness, inquire into the circumstances and examine the premises. Upon their return to the office the magistrate was put in possession of the following facts:—Mrs. Courtney, the house-keeper, who sleeps in a room under the study of his Grace, in the morning about two o'clock thought that she heard a noise overhead. She ascribed it to a little dog which wanders about the house, and paid no attention to it. No other of the servants, six or seven of whom sleep in the palace, was in the slightest degree disturbed. The doors had been closed at 10 o'clock, and all the domestics had retired to bed at 11. Before seven in the morning, the sweeps came to sweep the chimney of the servants' hall; from the window of which, one of the servants was astonished to see the window just above wide open, and a ladder against the wall. The alarm was immediately given through the palace, and attempts were made to

get to the apartment in which the open window was; but the whole suite of rooms leading to it were locked, the robbers having determined to secure themselves from all interruption in the course of their enterprise. The cellar-man and chapel clerk then entered at the window by the ladder; and the first thing that presented itself was one of his Grace's wax candles, which lay on the window-stool, and had been used by the robbers to light them out of the palace. From this circumstance it was conjectured that the robbery must have been committed before three o'clock in the morning. This room contained nothing but furniture and cupboards; the latter were broken open with a large crow-bar. The study was the next room visited by the thieves. Here several desks, boxes, cupboards, and cabinets, were broken open. Amongst the boxes which were wrenched open, were council-boxes, and other depositories, all of which were pulled almost to pieces, as the locks were Bramah's, Allen's, and Russell's patent locks, and could not be picked. A vast number of letters from his majesty, the duke of York, and others of the royal family, to his Grace, were strewn about the floor. All the secret drawers in the several desks were dragged open. Several morocco bags, which must have contained papers of importance, and were secured with patent locks, were cut open at the bottoms. The letters and documents were all trodden upon, and cast about the room. The thieves next visited the wardrobe, where the crow-bars were put to work with equal activity. The Archbishop's bed-room was then plundered; and Mrs. Sutton's dressing-room,

which is next to it, was used with as little ceremony. A number of old trinkets were lying about, the thieves having, no doubt, fixed upon the most valuable. It is worthy of notice, that several articles of value were left behind, evidently because they bore the arms of the family, or some other marks by which they could be identified. The next room, to which the thieves went, was that of his Grace's eldest daughter. Upon the bed, lay several trinkets which had been emptied out of a small mahogany box, which was wrenched asunder. A couple of necklaces, of no great value, and some empty reticules, were lying on the counterpane, as was a large easy chair which used to stand in a corner of the room. Several of the doors, through which the villains passed, were broken open with a crow-bar, which must have been of a very large size from the marks on the doors. Mrs. Sutton's wardrobe, which contained all her valuable dresses, was not touched. In fact, no place was touched, that did not bear the appearance of a place of security for money or trinkets. The thieves did not extend their depredations beyond one suite of rooms; but, having reached the door which communicated immediately with the staircase leading to the servants' hall, they locked it and took the key with them. The long gallery, the most splendid room in the house, did not escape. Immediately opposite to the chair in which his present majesty was crowned, there stood a table with a wax candle upon it, which the new visitors lighted. A very elegant writing-desk lay upon the table, with the lock torn away from the screws; and on another

table was a tea-caddy, which no doubt was mistaken for the depository of something more valuable. The caddy was full only of tea and sugar. No injury was done to any part of the furniture which was not supposed to contain property, and which it was not necessary to force open to reach that property. After the mischief had been accomplished, the thieves returned through the window, turned the candle out on the window-stool in endeavouring to turn it down in the candlestick, and left the ladder behind them. They then passed on through the grounds to a considerable distance, where they had another ladder, by which they got over the wall, after having passed a gate, of which, on their entrance, they had found it necessary to pick the lock.

It is rather extraordinary, that on Sunday-night a flock of geese, which were in the pond, were heard to cackle violently between 11 and 12 o'clock, and that a light was seen in this very part of the building, where the entrance was effected. The circumstance, however, never occurred to the servants until the robbery took place. No attempt was made upon the closets, in which the plate, during the stay of the family in town, is kept; but whether that was owing to the knowledge of the thieves as to the regulation for the security of the plate, or the equally important regulation for keeping in the kitchen next to the plate-closet two confidential men, who have fire-arms in abundance, could not be guessed at. At the foot of the ladder, a small crow-bar was found on the branch of a tree.

9. CONFLAGRATION AT SAREPTA.—The settlement of the Moravian Brethren at Sarepta, on the

Wolga, distant about 300 miles from Astrachan was almost entirely destroyed by fire; and the greater part of the inhabitants, 500 in number, deprived of their homes. The church and a few dwelling-houses were saved; the remainder of the settlement, including the various manufactories, shops, and farming premises, together with property of every kind to an immense amount, became a prey to the flames. The loss was estimated as high as a million of rubles banco, or 40,000*l.* sterling. The calamity was heightened by the circumstance of the sufferers being separated several thousand miles from the nearest settlement of their brethren, and isolated from civilized society among the wild steppes of the Wolga.

10. LAMBETH CHURCH BROKEN OPEN.—Information was received at Union-hall office, that Lambeth Church, which almost touches the Archbishop's palace, had been broken into by thieves. The discovery of the burglary in the church did not take place until this morning. When the sexton went round to prepare for divine service, before 7 o'clock, he was surprised to see deep marks of footsteps near the west door of the church in the burial-ground, and soon found that the door had been wrenched open. The instrument used to perform this service for the thieves must have been larger than those which were applied to the doors of the palace, as the marks on the edges of the doors of the church were of considerable size, and in fact the church doors are of such unwieldy magnitude as to require great strength, both of arm and instrument, to break them open. The lock of the west door had been broken off, and the pan-

nel was dragged off with it. The thieves, if they were the same that robbed the palace, were certainly not so well acquainted with the passages to the interior of the church as with those to the most private rooms of the former building; for upon breaking open the first door, they applied their strength to the great gate leading to the aisle. They were here defeated after numerous violent efforts, for there were several marks on the door. It is supposed that they opened the locks with a skeleton key, and that they relinquished the idea of forcing their way, upon finding that the door had been fastened by a couple of immense iron bolts, which are capable of resisting the attempts of 20 men. Baffled in their object of entering at this door, they next attacked a wooden partition, which they were mistaken in supposing led to the interior of the church, for it merely communicated with the engine house. They broke sufficiently through this partition to convince themselves, that, except they chose to steal the fire-engine, they had no chance of profit by pushing their labours further in that direction. There were no further symptoms of attempt to enter the church, and no instruments were found near the spot.

The conjecture amongst those, who are well qualified to judge as to the attempt to get into the church, is, that the villains, who broke into the palace, upon finding that they had no chance of getting hold of the expected chests of plate, determined to try the church and strip the communion table: but in their hopes in this respect, also, they were quite mistaken; for there is no plate kept in the church. That which belongs

to it, and is occasionally used, is regularly taken to a place of security remote from the church, when there is no necessity for producing it.

WATERSPOUT.—On Saturday, the town and neighbourhood of Padiham were alarmed by the appearance of a very large Waterspout. When first seen, it seemed to have risen from clouds which were gathering thick round Hamilton; soon after it assumed a more terrific appearance, and veered to the north-west. In this quarter, it displayed every symptom of immediate explosion, but suddenly made a rapid circuit to the west. In its passage, the noise, which it created, represented the distant roar of the sea on a rocky shore; but as it continued to ascend, the tone was altered, and resembled more the compressed discharge of steam from a boiler. The revolutions, which it made in its transit, were awfully grand; and its attractive faculties of re-uniting the volumes of mist, which issued from its side, were beyond description beautiful. After repeated ascents and descents, it varied its form with great rapidity; at one period its longitudinal extent must have been very considerable, and in the next moment, the point, which left no more than eighty yards from itself to the earth, was embosomed in the mass. It continued these transmutations for an hour, and then was buried in the clouds. Immediately on its disappearance, the atmosphere became densely dark, and the most vivid lightning and tremendous thunder, that had been heard in the neighbourhood for many years, ensued.

A DISTRESSED PRINCESS.—A meeting for the relief of Olive, *and* ~~and~~ princess of Cumberland,

lately took place at the Freemason's Tavern. There were about fifty persons present. Sir Gerard Noel took the chair, and Dr. Tucker (of Ashburton) entered at length into the lady's claims. The result of the meeting was, that 20*l.* were subscribed by sir G. Noel, 5*l.* each by Mr. Hunt, and Mr. Parkins, the ex-sheriff, and one sovereign was sent up to the chairman from the meeting, which then separated.

PRINCE HOHENLOHE.—Dr. Murray, lately appointed Roman Catholic archbishop of Dublin, has signalized his succession to Dr. Troy by a pastoral letter, announcing, and positively attesting, another miracle by prince Hohenlohe. A woman of the name of Mary Stuart is here declared by the Popish archbishop to have been suddenly cured of palsy and of dumbness by virtue of a mass celebrated on the 1st instant, in concert with the above-named prince. The Dublin papers contain affidavits in attestation of the pretended miraculous cure. The following is the lady's own account of her case:—

Affidavit of Mary Stuart, a Religious of Ranelagh Convent.

County of Dublin to wit.—Mary Stuart, of Ranelagh Convent, in the said county, aged 26 years, or thereabouts, came before me, one of his majesty's justices for the peace for the said county, and made oath on the holy evangelist, and saith, that in the month of January, 1819, she was attacked by typhus fever, as she was informed and believes, which continued up to the 10th of March following, on the night of which day, and while this deponent was in a state of convalescence, the

chapel of the convent having been consumed by an accidental fire, deponent was so alarmed, that she took refuge in an adjoining field, being long after midnight, and from the damp of the grass, as this deponent was informed and believes, she, this deponent, contracted the disease under which she had been languishing for more than four years; that the principal symptoms of her complaint were stagnations at night, which returned five or six times for the space of four hours, and produced a total suspension of all faculties, and sometimes occurred even when this deponent was perfectly awake; that there were very few weeks in the entire period of her illness in which she was free from these attacks; that she had occasionally experienced a temporary suspension of the faculty of speech; that since the 6th of January, 1823, the loss of speech occurred whenever she was raised in bed, in consequence of which, repeated blisterings and bleedings were resorted to, in order to obtain temporary relief; that on the 27th day of June last, she, this deponent, lost all faculty of speech, which could not be restored by the most powerful remedies that were applied; that since the month of September, 1822, this deponent had been confined to her bed; and from the month of January, 1823, up to the first day of August, 1823, she had been unable to turn in bed without the assistance of two persons; and during her illness she had been repeatedly bled in the arms and temples, and leeches had been applied to her head, in one or two instances up the nose; and so great was the tendency of blood to the head, that on one occasion the temporal artery burst,

although it had not been opened for some weeks; that blisters, in a considerable number, were applied; and since the 6th day of January, 1820, this deponent had an issue on the top of the head, containing, as she was informed, and believes, thirty peas; after which, two other issues were made in the nape of the neck, and one in her left arm, containing five kidney beans; that during the entire period of her illness she has taken no remedies but such as were ordered by the physicians; that she attributes her instantaneous recovery to the supernatural interference of the Divine Power, through the intercession of prince Hohenlohe. This deponent saith, that, having understood the prince had appointed the 1st day of August instant, as a day on which all those who wished to apply to the Almighty for relief, should join him in prayer, she, this deponent, endeavoured to dispose herself to have supplications offered for her; that having fulfilled the conditions generally prescribed by the prince, and prepared herself by a sacramental confession (which she was able to make only by signs) to receive the most adorable Eucharist, the Reverend Mr. Meagher offered the divine sacrifice of the mass in her chamber, at which her sister, Anne Stuart, and two other religiouses of said convent, and the attendant of this deponent, assisted; that this deponent was accompanied by her brother, the Rev. Mr. Stuart, during the devotions previous to the mass; after which, as deponent was informed and believes, he went to offer up for her, mass, in the chapel of the convent; that this deponent could not receive the blessed Eucharist but as a viaticum, and that when receiving it she could not project her tongue

beyond the teeth ; that at the conclusion of the mass, this deponent continued in the same helpless state as herein-before described, and when addressed by her sister, the said Anne Stuart, as to how she felt, she, this deponent, was unable to give any signs of recovery ; that in perceiving no alteration in herself, she was mentally making an act of resignation to the divine will, and invoking the holy name of Jesus, when she suddenly perceived she had strength to utter some words, and immediately exclaimed, " Holy, holy, holy, Lord God of Hosts, the heavens and the earth are full of thy glory," and then, without any assistance from any person, raised herself in the bed, and knelt erect, and then prostrated herself to adore the goodness of God ; that having immediately dressed herself, she walked down to the chapel to give public thanks to the Almighty ; that since that time she has not experienced the least symptoms of her late disease ; that from the issues above described, she has experienced no inconvenience whatever, notwithstanding that no application for healing has been resorted to ; and that the said issues are now entirely healed.

Sworn before me this 15th day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, Co. Dublin.
Mary Stuart.

In consequence of the notoriety of this case, a letter was addressed to Dr. Cheyne (an eminent physician who had attended the patient) requesting his opinion on two points—namely, whether there was any thing miraculous in the change which took place in Mrs. Stuart's health, and whether it

could be explained on natural principles? He felt no difficulty in answering the queries, and the following is the reply :—

" Dublin, August 22, 1823.

" Dear Sir ;—I felt it necessary to see Dr. Mills and Mr. Macnamara before I could answer your letter of the 20th. Considering that the friends of Mrs. Stuart, of Ranelagh convent, might not think it expedient to publish our certificates relative to the state of her health, we resolved not to give an opinion on the subject, and not in any way to commit ourselves individually.

" These certificates having been published, I have, in consequence of your letter, waited upon Dr. Mills and Mr. Macnamara ; and as they leave me to the exercise of my own discretion, I can have no hesitation in answering your questions. To the first I reply, that there was not, in my opinion, any thing miraculous in the change which took place in Mrs. Stuart's health ; to the second, that her case can, to my entire satisfaction, be accounted for on natural principles. I am, dear Sir, yours,

" J. CHEYNE.

" Rev. Robert Daly, &c."

EXECUTION OF AN INNOCENT MAN. — (*From the " Providence, Rhode Island Journal "*) — John C. Hamilton was executed in Kentucky in 1817, for the murder of Dr. Sanderson, of Natchez, Mississippi. A man recently executed in Mobile, has confessed himself the murderer of Sanderson, and declared that Hamilton was innocent. The following are the particulars of this melancholy affair.

" Young Hamilton through life supported an unblemished

character, and obtained the love, esteem, and admiration of all his acquaintance. As is common with the young gentlemen of Kentucky, he was in the practice of spending the winter season in the more genial climate of the Mississippi. On his return from a winter residence in that quarter, he accidentally fell in company with Dr. Sanderson, who being unwell, was journeying to Harrodsburg Spa, in the hope of recovering his lost health; and as he was anxious to make something out of his pilgrimage, he took with him a large sum of money, with which he contemplated purchasing negroes on speculation. On his way up the country his infirmities increased, and as he was apprehensive he might expire on the road, he committed his treasure to the charge of Hamilton. In a few days, however, his indisposition abated, when he pursued his journey, and finally arrived in safety at the residence of Hamilton, in Barren county, Kentucky, where he remained during the summer, and received from his young friend every mark of courtesy, attention, and hospitality. In the month of October, Dr. Sanderson made arrangements to depart. Hamilton accompanied him several miles on the road, and then took an affectionate farewell. Ten or twelve days after, as some hunters were rambling through the forest, they discovered the body of Dr. Sanderson in a state of corruption, shot in several places, and mangled in the most shocking manner. As Hamilton was last seen with him, and as it was known that he had from time to time made use of sums of money, originally the property of Sanderson, suspicion fell on his

head, and he was arrested, tried, and executed.

"Previous to his arrest, he was advised to leave the country, to avoid danger; but as he was conscious of his innocence, he disdained to take a step which would cast a cloud of disgrace upon his character, and resolutely remained at home. As the inhabitants of the county were divided in their opinions as to his guilt, the affair gradually died away; but Hamilton being anxious that a trial should take place, and firmly believing that in such an event his reputation, would remain unspotted, solicited a trial at the hands of justice, which, to his astonishment and sorrow, closed with his condemnation. The only evidence against him was circumstantial, viz. that near the body of Sanderson were found a bloody pair of pantaloons, and a pistol, both bearing the name of Hamilton. Through the whole of the trial, he manifested a fortitude and coolness, characteristic of innocence, and expired with a full conviction, that the real murderer would ultimately be discovered. When on the scaffold, he took a manly leave of the world; expressed not the least regret for his fate, but lamented that his misfortunes would cloud the prospects of his family."

25. PRIZES FOR VIRTUOUS ACTIONS.—In the sitting of the French Academy on St. Louis' day, five prizes (the foundation of baron de Montyou) were awarded to five individuals of the lower classes of society, for acts or habits of virtue. Four of these virtuous persons were of the softer sex:—Dame Jacquemin, and demoiselles Adele Caillet, Marie Cartier, and Barbe Ansement. The first is the wife of a water-

carrier, whose husband gains no more than 35 sous, or 16d. a day; but on this, dame Jacquemin received into her house and supported a poor female neighbour, left destitute of bread or refuge. Demoiselle Caillet, a milliner's girl, has during 12 years, maintained by her labour the mistress with whom she served her apprenticeship, and whom an incurable malady prevented from doing any thing for her own support. Marie Cartier has performed the same office of charity for the last 17 years to a female, whose house she entered as a servant, but who has since fallen into utter poverty. The last, who is a portress, received and supported in her house a young woman from her own province, though for the support of herself and family she has only 200 francs or 8l. a-year, and was obliged to pledge her wearing apparel to perform this act of charity. Each of these benevolent individuals were rewarded with 1,000 francs, and the notice of the French Academy.

The first prize, of the value of 1,500 francs; was decreed to Joseph Becard, an old clothes-man, and the following is the account that the bishop of Hermopolis gave of the invincible patience, and numerous sacrifices, which drew down upon him the award of baron de Montyou's bounty:—This man, formerly the servant of the marquis of Stinfort, who died at Arras at the commencement of the revolution, had witnessed in the prison of that city, during that disastrous period, the generous devotedness of madame de Chavilhac to her husband, who was thrown into the same dungeon. Deprived of all support after the

death of her husband, madame de Chavilhac, in 1812, came to Paris, to solicit payment of some money which was due to him. She understood very little of the French language; and not succeeding in the object of her journey, was reduced to the last degree of want, when she accidentally met Becard, to whom, being of the same province, and speaking the same dialect, she communicated the account of her distress. Becard was deeply affected with her change of condition, and rendered her immediately all the assistance in his power, by selling for her at a profitable rate those articles which she was obliged to dispose of for her immediate subsistence. This small fund was soon exhausted: and the unhappy lady, in despair, passed whole nights and days in tears, struggling to conceal the distress which oppressed her. Becard, although himself reduced to straits, endeavoured to aid her with his feeble means; and as she was ashamed to inscribe her name at the board of charity, he placed his own there in her stead, eating himself the coarse bread which he received, and buying fine bread for madame de Chavilhac, who had become blind from the excess of her afflictions. Nay, conquering his natural feelings of shame, he even submitted to beg alms in the street for her sake; and not succeeding in his object by all the humiliations of his new calling, tried afterwards the trade of an old clothes-man. About the end of last December, this unfortunate woman became ill, and Becard, after going about during the day to gain a pittance for her support, watched her sick bed during the night on a chair.

It was only after three months watching, that he could be prevailed upon to accept of a mattress from one of the neighbours, resisting the offer so long, on the ground that he might thus fall asleep while his patient required his assistance. His charity did not diminish, as the progress of madame de Chavilhac's illness rendered his services more painful. He never addressed her but with the respect of a servant, executing her most trifling wishes without a murmur, though continued suffering had soured her temper, and rendered her peevish and morose. She sometimes complained of his leaving her during the day. He only answered her by saying, that, if they could have the means of support without his labour, he would never leave her bed-side. Ten days before her death, he in fact ceased to go out on his usual occupation. She died about the middle of May last. Becard rendered her the last services of humanity, accompanied her body to the grave, and carried to the *cure* of the parish five francs which remained of the succour which that *cure* had sent her, for the purpose of obtaining prayers for her soul. Faithful to her memory, he made, with his own hands, a small wooden cross, and placed it, with her name inscribed, on the grave where her remains were interred. Such was the course of action, which secured for this faithful friend of misfortune a gold medal, and an honourable mention among assembled academicians. If there is any romance in the return of the five francs, and the erection of the monument, it must be ascribed to the bishop who gave the details.

SEPTEMBER.

THE TREAD MILL.—Sir J. C. Hippisley has published a work on this subject. Whether this humane magistrate be right or wrong in his conclusions, his opinions, founded as they are on much personal observation, deserve serious consideration.

"To ascertain," says he, in his letter to a friend, "whether any actual change has in any way been produced in the effects complained of since our visit of last year, I have once more accepted of your invitation, and at the time of writing this, have just returned from the House of Correction at Cold-Bath-fields, to which I had the honour of being accompanied both by yourself and Mr. Cole, who took a part in the examination we entered into, and to whom I appeal, as well as to yourself, for the accuracy of the following brief account of it. The wheels were at work on our arrival in all the yards, still idly expending their power, and that of their workers, in the air. The hour was half-past eleven in the morning, the thermometer at 60 deg. Fahrenheit, with a cool and gusty breeze, which many have complained of as being chilly, veering from north to south-west. We examined the subterranean machinery, which, with the ponderous fly above, was working at a fearfully rapid rate, notwithstanding the slow-paced motion of the principal shaft. The men were on duty on the wheels in their respective yards, and the report is true that the shaft has again broken, forming a fifth instance of failure; and other workers been again thrown upon their backs on the raised platform, who must in some instances have fallen

through to the stone pavement, some 10 or 12 feet below, had not the present vigilant governor, in anticipation of such an accident, prudently ordered the middle hatchways to be closed.* I inspected the men as they descended in rotation from the wheel, at the end of the quarter of an hour's task-work, to make room for fresh relays. Every one of them was perspiring, some in a dripping sweat. On asking them separately, and at a distance from each other, where was the chief stress of labour, they stated in succession, and without the least variation, that they suffered great pain in the calf of the leg, and in the ham, while most of them, though not all, complained of distress also in the instep. On examining the bottom of their shoes, it was manifest that the line of tread had not extended further than from the extremity of the toes to about one-third of the bottom of the foot; for, in several instances, the shoes were new, and between this line and the heel, altogether unsoiled—a fact, however, that was as obvious from the position of the foot, while at work, as from the appearance of the shoe at rest. Several of the workers seem to aim at supporting their weight by bringing the heel into action, the feet being twisted outwards; and on inquiring why this was not oftener accomplished, the reply was, that though they could gain a little in this way, it was with so painful a stress of the knees,

that they could only try it occasionally. The palms of their hands, in consequence of holding tight to the rail, were in every instance hardened, in many horny, in some blistered, and discharging water. The keeper, who accompanied us, admitted the truth of all these statements, and added, that it was the ordinary result of the labour, and that use did not seem to render it less severe; for those who had been confined long, appeared to suffer nearly, or altogether, as much as those who were new to the work; thus confirming the remark I long since took the liberty of making to you—I mean, that when an organ is directed to any kind of labour for which it is not naturally intended, no perseverance will ever give it facility of action, or take off the original distress.

“The females we found again at work upon the wheel; for, with a strange countermanding of indulgence, they were again ordered to brave all the mischievous consequences which had been proved to ensue, and apparently to undergo a new set of experiments; while, as though in full consciousness of what must follow, the visiting magistrates had endeavoured to prepare against some of the indecency heretofore complained of, by exchanging male for female keepers, and raising a linen screen a few feet above the platform, so as to hide the ankles. Here also the same effects of perspiration, the same complaints of pain in the instep, calf of the leg, and ham, were repeated as in the male side; to which the female keeper added a great pain in the loins, that generally and very greatly distressed them. The perspiration, however, existing

* The hatchways are now removed to the ends of the galleries. Among other smaller casualties, a woman fell down the hatchway, having previously fallen in a fit from the head of the wheel upon the floor.

among the females, is often very oppressive; and one of them, not long since, fell down to the platform in a fainting fit; the keeper herself seemed deeply to feel for them; her language was, that they often had not a dry thread belonging to them; and she added, you would be surprised, Sir, at seeing how often the finest of them, after having been a few weeks at work, are worn down and emaciated. I inquired, whether, even on this account, she did not feel it necessary to recommend, at times, a few days relaxation, that they might recover themselves; and she admitted, that she was not unfrequently compelled to do so. The palms of their hands here, as in the case of the males, were hardened, or horny, and in far more instances, blistered, the leathery skin in some cases peeling off, and exposing a sore surface beneath. For all kinds of needle-work, and other delicate descriptions of manual labour, they seem to be completely unfitted, and the keeper allowed that they were almost always rendered useless for such purposes."

BOURBONNAUX.—The *Memorial Bordelais* gives the following account of a singular proceeding: "The tribunal of Correctional Police has given judgment in the complaint preferred by M. Leveque, vicar of St. Eloy, against a merchant named Barthes. Considering that the vicar of St. Eloy committed no offence against madame Barthes by admonishing her in church not to come to mass at seven o'clock with her hair in paper; and that M. Barthes was guilty of serious insults to the vicar, whom he sent for to his house, on pretence of confessing a sick person; the tribunal sen-

tenced him to one month's imprisonment and a fine of 300 francs." —*Constitutionnel*.

9. At Linnagoorreen, near Fermoy, in Ireland, an entire family, consisting of Mr. Thomas Franks, his wife, and his son, Mr. Henry Franks, were murdered by a party of Whiteboys.

Mr. Franks's house had been burned some time ago, by the miscreants who devastate this county, and was now undergoing repair. Not a door had been yet put up; the family lived principally in one small room, not 12 feet square, the window sashes of which were not put up, and the wind was excluded only by a curtain. On the day of the murder Mrs. Franks and her son had been at Kildorrery, and returned to a late dinner, which was scarcely over, when a noise was heard in the passage. Mr. Franks started up and said, here are my friends paying me another visit, and, beckoning to his wife and son to remain quiet, he went outside the room door; there he was met by a fellow of large stature, with whom a contest commenced. The man was not armed, and they fought with their hands, Mr. Franks retreating to the parlour; on his entering which, the insurgents rushed in and soon filled the room. At this time a servant girl about 14 years of age, of the name of Mary Myer, slipped under a table, and concealing herself there, witnessed the horrid scene which followed. The leader of the insurgents, a ruffian dressed in woman's clothes, demanded of Mr. Franks his arms. Mr. Franks said he had none in the house; but that he would, if they chose, accompany the party to the Rock Mills, and get them from Mr. Smith, who had them. The leader

then said, "Boys, do your duty," and he himself upset a table on which a lighted candle was placed, which being extinguished, he had it lighted again at a fire in the room. Mr. Franks, his wife, and son, went on their knees to beg for mercy, assuring the leader of the party that they had no arms; but here no mercy was to be found. The savage, as if impatient of delay, snatched a short gun from one of his followers, and, within three feet of the unhappy father, fired and lodged the bullets in his heart. They then proceeded to dispatch the son, and here a dreadful scene ensued: the mother, only anxious to preserve her child, and regardless of her own safety, clung to the wretched young man, as if to shield him from the vengeance of the assassins. They repeatedly tried to force her from him, and told her to return to another room, but she would not leave her son; they then struck her with a heavy iron bar on the left temple, and literally shattered her head to atoms; after which they beat the son's brains out, and mutilated all the bodies of the deceased. At the commencement of the horrid work, another female servant had been shut up by the ruffians in a small room; when they had murdered the young man, they thought they heard some groan, or sound, as if life was not entirely extinct, and the candle having been extinguished, they took this servant from her place of confinement, and one of them holding her by the hand with one hand, and her head down with the other, made her proceed to a cupboard in the parlour, and take out a candle and light it; they then drove two heavy iron bars, weighing 30 or 40 lb. each, through the dead

bodies; and each man, in succession, took a long three-pronged fork, and repeatedly drove it also into the bodies. Another ruffian, dressed in female apparel, commanded outside the house; and, seeing a woman appear at the door of an out-house, with a child in her arms, he called out "To bed, to bed," and placed a sentinel on the door. When the shot was fired inside, this fellow danced a regular hornpipe, as if delighting in the dreadful scene going forward. The woman of this house had a son, who, immediately on the party marching off, mounted a horse and rode to Kildorrery, whence a military party arrived in half an hour at the scene of carnage. It would appear that the insurgents separated and proceeded in different directions, as blood was traced on the roads to Doneraile and Kildorrery.

CLAIM OF CATHOLICS TO PRAY OVER THE DEAD IN PROTESTANT CHURCH-YARDS.—The following circumstances occurred at a funeral which took place on Tuesday, the 9th of September, 1823, in the church-yard of St. Kevin's, Dublin:

Arthur D'Arcy, esq. brewer, of Usher-street, was interred in St. Kevin's church-yard, on Tuesday, the 9th of September. The funeral was attended by a number of priests, who walked in regular procession up Church-lane, to the grave, and there encircled themselves about it. When the coffin was deposited therein, one of the priests, who stood behind the sexton, desired him to stand by until he should commence their service. The sexton, on turning round, perceived all in the church-yard uncovered, and informed the priest, that he was sorry to be obliged to interfere with him, or any other

person, in the performing of their religious service, but he could not permit him to officiate there. The priest asked him, in a very peremptory manner, by what authority he stopped him from proceeding? The sexton informed him, by the directions of the clergymen of the parish. And by what authority do they prevent us, said the priest? The sexton informed him, by the sanction of their bishop, and the express laws of the land, which prevent any priest from reading his prayers, or performing any service in a Protestant church-yard. The priest said, they had done so before, and why were they prevented now? The sexton replied, if he had, it was by stealth, and not with the sanction of the minister of the parish, as no one, not even a clergyman of the established church, could read the funeral service, unless authorised by him. The priest then exclaimed, it was a great hardship and also a great disappointment to them, and to that large assembly, to be prevented. The sexton replied, he hoped not, as he understood that they always performed their funeral service before the corpse was removed from the house, and he supposed that they had done so that morning, as they themselves knew well, that no priest could perform any service in a Protestant church-yard. One of them said, "Doctor, go on with the service, and don't allow any one to interrupt you:" after a pause, "or," said he, "say the *De Profundis*." The sexton then replied, that nothing could be done there in the way of service, except with the consent of the clergymen of the parish, and, if they wished the funeral service to be read, that he would send for him. They said "No." The priest

(Father Blake) then turned round, and in a very audible voice informed the surrounding multitude, "that they were publicly prevented from going through their service, and as they were prevented from praying in public, he desired them all to address their prayers to Heaven in private, to themselves." The sexton then retired from the church-yard to his house, while the multitude were praying, and did not further interrupt them.

In a short time after, a number of respectable persons called at his house, one of whom asked, whether it was true that he had had the audacity to prevent their priests from going through their funeral service that morning, over their deceased friend. The sexton admitting the fact, they then asked him, by what authority he had done so. The sexton replied, that he had already informed their priests. They insisted on knowing by whose authority he had done so. The sexton then replied, by the orders of the minister of the parish, whose church-yard it was. They then asked, had he received any particular instructions from the archbishop of Dublin on that occasion to prevent them? The sexton replied, none; as he never had any communication with his grace on the subject; and also said, his grace was not in the kingdom, but that he had acted by general instructions. One of them, a Mr. Redmonds, of Rathmines, replied, that he had always had a priest to perform the service at the interment of his mother and other friends, in St. Kevin's church-yard. The sexton replied, if ever he had, it was through stealth, as he had already mentioned in the church-yard, and that he, Mr. Redmonds, was no friend of the priest for say-

ing so, as the priest could have been punished for so doing, it being contrary to law. They then threatened the sexton, saying that millions were not to be trampled on, or insulted by a few, nor would they endure it any longer; but that they should have their rights, and would have them, and likewise would have their own service in future performed by their own clergymen, and would not be prevented. The sexton then said, as they threatened him for doing his duty, he requested them to come at 11 o'clock, and that they would have an opportunity of meeting the archdeacon of Dublin there, whose church-yard it was, and who would inform them better than the sexton could, why the laws prevented them. They said it was a savage thing to disturb them in their dying hours by such conduct. The sexton said, he was sorry to hear a person that had the appearance of a gentleman say so, as he, the sexton, certainly did no such thing, as he believed that the poor man had died the Saturday or Sunday before. They then became outrageous, when the sexton was obliged to inform Mr. Redmonds, who stood near him, that he was surprised to see him heading such a number of persons, both to insult and assault him in his own house, and if they would not retire, he should hold him accountable. They then dispersed.

The sexton states, that the friends of the deceased, on the evening before, when asked should the clergyman of the parish attend, answered no, as they would have one of their own with them.

The sexton further states, that, during the time of his holding the office (upwards of six years), no priest had performed any service

either in St. Peter's or in St. Kevin's church-yards, to his knowledge, except once about four years ago (in St. Peter's church-yard), at which time the sexton went to the priest, by order of the curate of the parish (who was in the vestry-room at the time), and prevented him from proceeding. The priest immediately desisted and retired.

The above statement was made upon oath, before the lord mayor of Dublin, by the sexton of St. Kevin's parish.

DISCOVERY OF AN ANCIENT PAINTING.—In cleaning the south wall of the church at Wootton Bassett, Wilts, which is more ancient than the rest of the structure, the workmen accidentally brought to light a very curious painting, executed in the rudest style. In brushing, a piece of the plaister fell off, and the armed feet of a man with a spur was discovered underneath. Gradually removing the plaster around, the workmen found a painting, in water colours, of the murder of archbishop Beckett. The four knights in complete armour are in the act of assaulting the archbishop. The figures of the knights are nearly perfect; the two latter in the act of drawing. The archbishop is leaning before the altar; between his hands, which are raised in a pious attitude, is the wafer; the cup and the book are placed on the table before him; the crozier and mitre are by his side. His cardinal's red robe, with golden bands, is distinct. His features are a good deal obliterated; but there is sufficient to show, that his head is turned round in sudden surprise. The picture is evidently painted on the first coating, as the bare stone is immediately under-

neath. The entrance by the folding doors is also rudely represented, and below is sketched what seems intended to signify the cathedral itself.

THE PRODUCERS OF FRENCH INDUSTRY.—The Paris journals have of late entertained their readers with laboured descriptions and warm eulogies of the collection of the products of French industry, now exhibiting in the Louvre.

This is the second show of the kind presented to the good people of Paris, since the return of the Bourbons, in one of the palaces. Napoleon did not think of bringing the manufacturers and artisans so near his own residence, or under the same roof with his splendid museum, but appropriated for the display of their commodities the saloon of the *École Militaire*; and thus gave the Parisians a trip to the *Champ de Mars*, the scene of so many striking and splendid spectacles during the revolution, and under his government. The last exhibition which was ordered by authority, and the first in the Louvre, took place in 1819, under the ministry of De Cases; and the original intention of allowing a lustre to pass between every successive one would have put off the present, till the autumn of 1824.

This plan was departed from only on account of the war with Spain. At and before the commencement of hostilities, the commercial and manufacturing part of the nation took the alarm for their workshops and magazines, predicted the ruin of their trade, and the starvation of their workmen; and, in the language of Chateaubriand, "vociferated peace" with all their might. To prove the falsehood of their predictions, and the folly of their alarms, the minister of the

interior adopted the very logical expedient of assembling the products of their industry in a general maister, offering to prove by ocular inspection, that the French could, under an ultra cabinet, make brass nails and broadcloth, shawls, calicoes, and cutlery, as well as under an administration from the centre; but forgetting, or affecting to forget, that the manufacturers complained not of the degeneracy of their workmen or the diminution of their skill, but of a reduced demand for their goods—not of the want of articles in their magazines, but of the want of a market among their foreign customers. However that may be, the project has answered one of the purposes of its invention most effectually—it has acted as a diversion to public discontent. The public prints have forgotten Cadiz and politics, to descant on cachemeres and speaking dolls.

The exhibition is spread over 52 rooms of the Louvre, and embraces the whole suite of apartments on the first floor of the parallelogram of the new palace, besides the vestibules under the grand colonnade. Every article of French industry is arranged in convenient classes, and has its proper place allotted it. The scale even descends so low as children's toys, tooth-brushes, periwigs, and perfumery. The number of manufacturers or artisans, who have sent articles of their own making, amounts to 1,648: the catalogue, without a word of description, composes a pamphlet of 180 pages. In the first room on the ground floor under the great colonnade, are arranged the utensils of husbandry and various articles of ingenious machinery made of iron, steel, copper, zinc, and other metals. The number

of exhibitors in this department amounts to 154; and in the list are found the names of several Englishmen—such as Ranson and Sons, Smith, Waddington, Realer and Dixon, &c. Passing by two large rooms dedicated to articles of perfumery, which have for their owners only 18 modest competitors for medals and customers, and two others set apart for what are called “alimentary products,”—such as dried meat, vinegar, beet-root, and cane-sugar, chocolate, and confectionery—we come to two *salles*, containing chymical products, as alum, soda, soap, sealing-wax, and other such preparations. The number of persons, who have contributed to gratify public curiosity with these specimens, is 64, and among them are the names of three or four Englishmen. Then follow three apartments filled with kitchen furniture and utensils—such as stoves, furnaces, lamps, &c. Two rooms are devoted to various articles of paper and pasteboard, and one to commodities manufactured of leather and hides, such as parchment, gloves, shoes, morocco, and others. Two large saloons are set apart for instruments of music: the number of contributors here is 41. Then follow four or five of the most interesting apartments in the suite, filled with optical and medical instruments, articles of ornamental clock-work, porcelain, and polished wooden furniture. A large space is of course appropriated to silk fabrics, hattery, jewellery, and cutlery. Two saloons are occupied with articles of bronze, gold and silver ware; and two others, with plated goods. Articles made of flax, and hemp, and cotton, such as cambric, damask table-cloths, handkerchiefs, calicoes; mus-

line, &c., fill up two large apartments, and have for their contributors 186 manufacturers or artisans. Six rooms are adorned with the manufacture, of which, next to silk, France has the most reason to boast the perfection—namely, woollen articles, including shawls, broad-cloths, blankets, flannels, &c. The number of manufacturers of this staple, who have presented to the public specimens of their fabric, amounts to 200. The second vestibule, filled with machinery and implements of husbandry and of the arts, completes the long series of these products of French industry. It would be difficult to conceive any thing more full in the details—more striking in the *ensemble*. No fabric of convenience, utility, or elegance, was without a representative in this magnificent panorama.

12. THE NEW LONDON BRIDGE.—The Bridge-house committee met at Guildhall, to deliberate upon the subject of fixing upon a site for the new bridge, the building of which is to be forthwith actively commenced. Mr. Rennie, the engineer, attended. After some previous business, they repaired to Fishmongers'-hall, upon the top of which they began their deliberations.

Several of the members contended, that as a new bridge must be built, the most advisable position is upon the site of the present bridge, the foundation of which is one of great stability. The approaches would, by this plan, occasion less expense, as nothing would be necessary but a widening of the streets at each end of the bridge. It had been suggested, by some of those who have been active in furthering the

object of building a new bridge, that, if a bridge be erected at all, it must be erected immediately on the east side of Fishmongers'-hall. In this case, the line of road would commence at a distance of 20 yards from the north side of Upper Thames-street, and terminate in High-street, Southwark, at a distance of 123 yards from the river, leaving an extensive area at each end of the bridge. The expenses attending such a plan were urged, and the opinion of Mr. Telford, a man of considerable skill and experience, was taken upon it. The opinion of that gentleman was, that the new bridge should be constructed as near as possible to the old bridge, so as not to endanger its stability, and that probably the new bridge might be erected at a distance of 50 yards from the present bridge. It was urged by Mr. Rennie, that the least expensive course would be, to erect a temporary bridge between the present bridge and Fishmongers'-hall, over which the trade of London could be carried on, and that the old bridge should be taken down and a new one raised upon its site. The expense of the temporary bridge would amount to no more than 90,000*l.*, and the approaches to the new bridge would not add so much to the whole estimate, as if a new site were selected.

The Committee, after a most laborious investigation of the merits of the case, came to the determination, to have the new bridge on a new site as close to London Bridge as possible, and to allow the present bridge to stand until the new one and its approaches shall have been completed.

The undertaking is to be commenced as soon as possible. The

front of St. Saviour's, Southwark, will be thrown open, and the neighbourhood of Fishmongers'-hall will be considerably benefitted. The stone for the bridge is to come from Aberdeen.

OLD BAILLY.—Charge of Murder.—W. B. Dyson was indicted for the wilful murder of Elisabeth Anthony.

Elisabeth Bell stated, that she knew the prisoner and the deceased. She recollected their lodging together as man and wife, at Mr. Williams's, in Sherrard-street; they left Williams's on the 25th of July; witness dined with them on that day, and parted from them at 9 that night. They both appeared very dejected; about 12 at night, on the 25th of July, prisoner came to witness's lodgings; she went down to the door to him, and she saw Anthony in the street, a little way from the house, when she was talking to Dyson; about 2 o'clock in the morning of the 26th, the prisoner returned to witness's lodgings, and appeared wet; witness said, "Where is Elisa?" Prisoner answered, "Poor thing, she is no more; she is drowned." He said, he could not save her; witness went up stairs for a light: on her return, he said it was distress that had occasioned him to do it, and he meant to have destroyed himself.

Cross-examined by Mr. Andrews.—Prisoner was affectionately attached to Elisa Anthony, and wanted witness to let her sleep with her the night of her death. He was dripping wet when he returned, and desired witness to tell every one of the death of Elisa, and to acquaint the deceased's mother of the circumstance; he never attempted to escape. Witness, from her knowledge of

the prisoner, thought that he would not hurt a worm. Witness, from deceased herself, knew, that prisoner wished to marry her.

Frances Hopkins, who lodged with Mrs. Bell, confirmed that witness's evidence as to the prisoner being completely wet, when he came to Bell's lodgings at two o'clock in the morning.

Robert Bownaley said, he was a watchman in Jermyn-street, and remembered seeing prisoner on Saturday, the 26th of July, at half-past one in the morning, near St. James's-market, crying out—"My God, my God, what have I done!" Witness said "You have done something wrong." Prisoner then went to the house No. 135, Jermyn-street, and rang the bell violently. Witness went up to him, and he said, "It is all right, my name is Dyson."

John Rayne, a private watchman at the Speaker's, recollected on the 25th of July, being on duty at night, as usual, he heard the cry of murder, which appeared to come from the river; on looking to the spot, he saw a man in a boat, in apparent distress. He heard the man cry out "Eliza, Eliza." The cry of murder proceeded from a female voice. Witness could not go to the spot, for he was locked in on the Speaker's premises. The tide had turned about 20 minutes before.

George Sullivay, a waterman, had moved his boat under the archway of Westminster-bridge on the night of the 25th of July, at 11 o'clock. It was then ebb-tide, and the boat was aground; no person could have been drowned there. The next morning he found his boat 100 yards to the south of the spot witness left her in, very muddy, as if persons had

been struggling in it. He rowed up to Vauxhall, and there began to wash his boat, in which he found a bonnet, then produced to the Court. The benches, as well as the bottom of the boat, were dirty.

Cross-examined.—Witness found the boat between the Speaker's garden and the bridge; and the mud in the boat showed, that some one, who had been in it, must have been on the beach.

By the Court.—The marks in the boat showed, as if persons had been struggling, and not as if they had been in the mud, and merely afterwards walked into the boat.

Joseph Wood, the landlord of the Union Tavern, Air-street, Piccadilly, stated, that the prisoner and deceased had lived with him. The bonnet produced by Sullivay belonged to Eliza Anthony.

Mr. Jefferies, a surgeon.—He examined the body of Anthony at the desire of the last witness, about six days after she was drowned; there were bruises on the body, which indicated that violence had been used. The head was much swollen, which he attributed to extravasated blood; the lungs were gorged, which was caused by suffocation, as witness supposed from drowning; the head appeared bruised; the appearances on the head, he should think, arose from external injuries; there were marks of external violence on the face that could not be produced after death, in the opinion of the witness; deceased's death was occasioned by suffocation, to the best of witness's judgment. He did not think, the external violence he had spoken of would have produced death.

The deceased was five months advanced in pregnancy.

Mr. Thomas Gaskell, another surgeon, opened the body of the deceased by the direction of the jury. Witness was of opinion, that no external violence had been used before death. He was led to this opinion by seeing no extravasated blood, or any other appearances which showed external violence had been used.

Mr. Justice Best.—“William Britten Dyson, the case for the prosecution is now closed, have you any thing to say in your defence?”

Prisoner.—“No, my Lord.”

Witnesses in favour of the prisoner's character having been examined,

Mr. Justice Best stated to the jury, that there were three material points for their consideration. If the jury believed, that both the prisoner and the deceased went to the water to drown themselves, and that the deceased commanded, or prevailed on, the prisoner to throw himself over into the water, then the prisoner was guilty of murder. That was the opinion of himself and his learned brother (Graham); but the point (if the jury should so find it) should be reserved for the consideration of the Judges. If the jury thought, that the prisoner went to the river to drown himself, and the deceased jumped overboard to save him, and was thus drowned, then the prisoner must be acquitted. On the other hand, if the jury believed that the prisoner had pushed her in against her will, then of course he must be found guilty.

The jury retired for about 20 minutes, and on their return, the Foreman pronounced the verdict, “Guilty, believing that they both went to the water to drown themselves.”

Mr. Justice Best then recorded the verdict. After the lapse of a few minutes, the learned judge said, “You believe, gentlemen, that the prisoner honestly intended to drown himself?”

The Foreman.—Certainly.

The prisoner was then taken from the bar; the point being reserved for the consideration of the Judges. He received subsequently a free pardon.

18. MONTREAL.—The steam-boat Lady Sherbrooke arrived on Friday from Quebec: the passengers on board reported, that they had been followed to within a few miles of this city, by a large sea-monster—some supposed it to be the famous sea-serpent, while others believed it to be a whale or grampus. However, all agreed, that it was a fish of a very large kind, stating the length to be from thirty-five to eighty feet. In the evening of Friday, the monster rose alongside the steam ferry-boat, which plies from the Cross (two miles below the city) to Long Guile, and appeared to be nearly the length of the boat. On Saturday morning, two enterprising captains, Brush and Seymour, with a crew of eight men, went down in the long-boat belonging to the steam-boat. About three miles below Montreal, they had the satisfaction to see the fish rise and blow. They immediately pulled for his track, and soon came alongside, when the harpooner fixed the dart into him; and a scene took place, which surprised those who had collected on shore. The current running with great rapidity, it is not common to see a boat propelled up the stream with any swiftness; but the fish darted with the boat in tow up the current, at the rate of ten or twelve miles an

hour. Perhaps not wishing to approach too near the city, he soon tacked about, and stood down for Long Point, and remained towing the boat, until near twelve o'clock, going where he pleased, and drawing the boat much faster than those in her were accustomed to travel even by steam. Finally, the harpoon gave way, and the monster, for the present, made his escape.

14. **WHITEBOYISM.**—The system of intimidation by posting threatening notices has been again acted upon in various parts of Ireland. The following was posted on Sunday morning last, on the chapel-gate of Ardualyntha, within a few miles of Mallow:—

"No mercy whatever for any person buying or withholding his tithes this year, for God and man have conceived to punish the wickedness of the times, animated with a firm hope, that I will for the next entirely abolish and subvert this present and passing tyrannical system of oppression under which we groan. In order therefore that you may avert the impending scourge which inevitably awaits the non-observers of my Constitution, I do hereby Strictly Caution you and all of you to Surrender, give up, and Deliver, unto your respective Rector, your tithes for this harvest, under pain and penalty of purchasing to yourself the punishment herein prescribed, which will Cost you not less than your life, with a total Consumation of your property Including your Cattle. I find by Experience that some of you may flatter and deceive yourself by Expecting a Remuneration for The loss of your property but alas. What remuneration can you Expect when you shall make a short and perhaps unprovided exit

from off the Stage of life for if this My first and last Notice do not make the Satisfactory impression, I shall unavoidably have Recourse to the above measure Which I find So highly essential for the Stability of the public cause.

"As I had been on my Tour to inspect the Southern Districts I got various Complaints of that Infernal Stephen Wigmere I now timely caution you and Church to resign your Demonic offices or I will Settle your wig the wrong way, any person in Future Serving process or ceasing Distress, by Virtue of a Decree shall be Shot to Death or burned alive and his house and property Destroyed.

"Issued from the Council Chamber,

"Rock Hall. MARSHAL ROCK."

15. **LONGEVITY.**—A female, whose name was Eleonor Job, died in Church-court, in the parish of Saint Giles, at the very advanced age of 105 years. In our first war in America, she accompanied her husband, who was a soldier of artillery, to the latter country, where she attended with the army in every campaign that took place, as principal nurse in what was called at that time the flying hospital. Her intrepidity and humanity were equally proverbial with the army; among the soldiers, she was held in such an affectionate regard, that she was familiarly known among them by the name of "Good Mother Job." At the battle of Quebec, she was particularly conspicuous in her exertions to relieve the wounded, and was the person selected on that occasion to prepare for embalmment the remains of the gallant Wolfe. She it was, who on that melancholy occasion performed the necessary ablutions of the internal parts of

the body. Her husband having been killed in battle, she returned at the close of the war, to her native country, without any adequate provision for her support, and for the last 50 years has been a pauper in the parish of St. Giles. The overseers, and officers of that parish did every thing in their power to render the close of such a life as comfortable as circumstances could allow. She continued perfectly rational to the last moment, and, a few days before her death, was conversing familiarly about the building of St. Giles's church in the year 1733, of which she had a perfect recollection. Her features were remarkably fine and prominent, of the Roman order. Her daughter, aged 68, a grand-daughter, aged 40, and a great grand-daughter, aged 15, paid the last tribute of respect and affection to the remains of their venerable parent.

OLD BAILEY.—Thomas Beeman and John Cahuac were indicted, the former for stealing on the 16th of July 106 printed books value 2*l.* the property of Benjamin Bensley, and the latter for receiving the said books, knowing them to be stolen.

Mr. Benjamin Bensley deposed, that he was a printer in Bolt-court, Fleet-street. He employed the prisoner Beeman as warehouseman. About the latter end of June, the witness printed an octavo edition of Lingard's History of England, for Mr. Mawman. Beeman collated the work, and therefore had access to it. In consequence of information which the witness received, he took stock of the work about the end of August, and found that he had lost from fifteen to twenty copies, each copy containing eight volumes. On the 5th of August, the witness accompanied Mr. Fellowes (Mr. Maw-

man's foreman) to Cahuac's shop in Blackman-street in the Borough. In answer to some questions of the witness, Cahuac said, he had several of the octavo copies of Lingard's History, at 3*l.* per copy. The witness then left the shop and joined Mr. Fellowes who had been waiting outside, but shortly after again entered it in company with Mr. Fellowes. Mr. Fellowes, addressing Cahuac, said, he heard that he was offering Lingard's History for sale at a very reduced price, which appeared the more extraordinary, as he (Cahuac) was present at Mr. Mawman's sale about a month before, and refused to purchase any copies of the work. Cahuac appeared confused, and said that he had only two copies to sell. Mr. Fellowes replied, that he knew that Cahuac had offered a respectable bookseller six copies only a day or two before. Cahuac, being pressed, said he had purchased six copies at 2*l.* 10*s.* per copy, of a man who had brought them to his shop; but he neither knew the man's name nor address. Cahuac afterwards said, that this man was a messenger at the King's Bench prison, and that he sold the books on behalf of a prisoner there; but upon being asked to go to the King's Bench, and point out the messenger, he observed that he did not know the man was a messenger at the King's Bench, but only that he said he was.

In his cross-examination, the witness stated, that when he accompanied Mr. Fellowes to Cahuac's shop, he did not know, that any copies of Lingard's History were missing from his warehouse. The witness printed from between 1,015 to 1,025 copies of Lingard's History for Mr. Mawman. The lowest price at which Mr. Maw-

man's *Lingard's History* was sold; to his knowledge, was 3*l.*, with a bonus of 4 per cent to those who took twenty-four copies. The witness employs upwards of one hundred men, who all had access to the work.

Mr. Benjamin Fellowes, the foreman of Mr. Mawman, of Ludgate-street, deposed, that Mr. Mawman was the proprietor of *Lingard's History of England*. Some time during last Spring, Mr. Mawman published an octavo edition of the work, and previously to its being produced, he had what is called a "trade dinner," at which it is usual to fix the price of forthcoming works. The lowest price fixed for the sale of the new edition of *Lingard's History* was 3*l.* per copy, with a bonus of 4 per cent. to those who took 25 copies. This price was to be given for the work in sheets. The next trade price was 3*l.* 8*s.* to those who took less than 25 copies. The retail price in boards was fixed at 4*l.* 16*s.* After the trade dinner, 405 copies were delivered to Mr. Mawman by Mr. Bensley. The trade dinner took place on the 23rd of April, and the book was published on the 23rd of June. The work has never declined in price from that time. Mr. Cahuc was present at Mr. Mawman's trade dinner, and refused to purchase any copies of the work. In consequence of information which the witness received from a bookseller named Dowding, he examined Mr. Mawman's stock, and found no copies of *Lingard's History* wanting. The remainder of the witness's testimony was in corroboration of what Mr. Bensley had stated respecting the proceedings in Cahuc's shop. He also stated, that he found three copies of *Lingard's History* at the shop of

Mr. Renshaw, a bookseller, in Fleet-street.

John Clinton, a constable, deposed, that he apprehended Beeman on the 14th of August, and searched him. Beeman denied, that he had any fob, but when the witness discovered it, he said that there was nothing in it. The witness, however, turned the fob out, and found two papers in it, which Beeman said were memorandums referring to transactions that occurred three years back. The witness searched the prisoner's lodgings and there found a piece of paper. (The witness here produced the two papers which he had found in the prisoner's fob, and that which he found at his lodgings.) On the 16th of August, the witness searched Cahuc's house, but found no copies of *Lingard's History*.

John Dowding, a bookseller in Newgate-street, deposed, that about the 28th of July Cahuc called at his shop, and offered six copies of *Lingard's History*, octavo edition, at 2*l.* 8*s.* per copy. The witness declined purchasing the books, and sent to inform Mr. Mawman of the circumstance.

James Cooper, a bookseller in Fisher's-alley, Water-lane, proved, that the writing on the paper found in Beeman's lodgings, was his. On the 18th of July the witness bought of Mr. Cahuc, at his shop, six copies of *Lingard's History*, octavo edition, at 2*l.* 10*s.* Only five copies were delivered to the witness; three of these he exchanged with Mr. Renshaw, of Fleet-street, for Comyn's Digest. The other two copies he sent to Mr. Agg, a bookbinder, to be bound. Mr. Agg returned them, saying they were imperfect. The witness made out a list of the

sheets which were wanting (this was the paper found in Beeman's lodgings). He took the list to Cahuac, and Cahuac said, he would procure the sheets to make the copies perfect. Some time after, however, Cahuac called at the witness's shop, and said he would take back the imperfect copies of Lingard's History, when the witness accordingly delivered them to him.

George Cooper, the brother of the last witness, proved, that five copies of Lingard's History were delivered at his brother's shop, one copy by Mr. Cahuac, and the four others by Cahuac's son.

— Agg, a bookbinder, deposed, that he received five copies of Lingard's History to put into boards. Only three of the copies were perfect. The witness made out a list of the imperfections of the remaining copies, which he gave to Mr. Cooper. One of the papers found in Beeman's job was shown to the witness, who identified it as the list of imperfections which he had drawn up.

Mr. Benshaw, the bookseller, in Fleet-street, merely proved that he received three copies of Lingard's History from Mr. Cooper.

James Clapperton, a servant in the employment of Mr. Bensley, deposed that about the latter end of July he found a paper on Beeman's desk. A paper was handed to the witness, which he said was the paper which he had found on Beeman's desk. He believed the writing on the paper to be that of Beeman. The paper was lying openly on the desk, and the witness placed it on a peg, from which Beeman might, if he had pleased, have removed it.

The written paper referred to was here read by the clerk, and

purported to be a list of imperfections in some copies of Lingard's History, which had been sold by Mr. Mawman to a bookseller named Anderson, in Piccadilly.

Mr. Anderson, a bookseller, in Piccadilly, proved, that he had not in July bought any copies of Lingard's History of Mr. Mawman, and that he had never sent a list of imperfections in that work to Mr. Bensley.

Beeman, in his defence, said that it was impossible that he could have taken any property from Mr. Bensley's premises, because he never left them except in company with other persons. He never saw Cahuac until he was in custody.

Cahuac read a written defence, in which he solemnly declared that he had purchased the books in the way of trade, and that he had never known Beeman until after he was apprehended, and he also complained of the harsh conduct of the prosecutors.

Several respectable witnesses gave a good character to Beeman, and an unusual number (not less than 30) appeared in behalf of Cahuac.

The jury retired at a quarter past one o'clock, and precisely at two o'clock returned a verdict of Guilty, but recommended the prisoners to mercy on account of their previous good character.

Cahuac was sentenced to 14 years transportation; Beeman to seven years.

17. At Sanderton, in Bucks, as Isaac King and R. Somerset esqrs. were returning from a shooting party, they were suddenly surprised at their dogs violently barking round a thicket, Mr. King, advancing to discover what was the cause, beheld to his great astonishment, a large black bear mak-

ing off to the opposite side of the field. He immediately fired at it, but the shot, instead of injuring Bruin's tough hide, only served to quicken his pace. After a long chase, and firing two or three useless shots, the gentlemen were obliged to give up the pursuit.

It was afterwards discovered, that the animal had made its escape from a travelling menagerie that was going to High Wycombe fair.

18. MIDDLESEX SESSIONS. — James Wilson was tried upon an indictment, charging him with having repeatedly endeavoured to ravish his own daughter, Sarah Wilson. The prisoner appeared to be about 60 years of age.

Sarah Wilson, the prosecutrix, deposed, that the prisoner was her father; her mother died in 1819, leaving her and her brother and sister to her father's care. The sister is four years younger than herself, and she is 20. They resided at the house of a Mr. Smith. Her father acted most indecently towards her, and solicited her repeatedly to allow him to take liberties with her. There was but one room and one bed, and she and her sister used to make up a bed for themselves in another part of the room. Her father used to solicit her like a lover; and when she would not consent, his conduct was most cruel. On the 17th of December, he threw her on the floor, and proceeded to the worst indecencies. She scratched his face and called out, and he was afraid to proceed farther. He begged she would not make a noise to bring the people up. After this he repeated this conduct frequently. It had occurred to her frequently to leave him, but she thought of the injury it would

do to his connexion. She left him 18 months ago, but he waited for her and caught her, and brought her home; swearing that his arms might drop off, if he would ever attempt to commit a like insult again.

Rebecca Wilson, her sister, confirmed this statement in many of the disgusting particulars.

Jane Smith, a woman in whose house the prisoner resided, stated, that on the 17th of December she heard a noise in the prisoner's room, and thought his daughter was in fits. She soon afterwards heard Sarah scream, and say to her father, "You good-for-nothing villain, you want to be my ruin and destruction, but you shall not, while I have breath to draw."

John Knight deposed; that he saw the prosecutor struggling to get away from the embraces of her father.

The prisoner in his defence said, the whole was a base story—that his daughter Sarah was a base creature—that he worked day and night for her and her sister, and had given them a tender education—that Sarah had robbed him, and had been turned away from her master's (Mr. Barrow's) house for being a thief and a w—e.

The prisoner called Mr. Barrow, but that gentleman deposed, that Sarah was one of the best girls he ever saw; that she had left his service against his and his wife's will, and that he knew her from her childhood.

Verdict — Guilty. — Judgment — Imprisonment for twelve months. Prisoner. — "I am sacrificed."

His son, a boy about 14 years old, said — "You are, father; but nevermind, you shan't want though I starve."

ATTEMPTED IMPOSITION. — A

very curious pamphlet has been published in Norwich, containing the case of Mary Humphrey: the following is a transcript of its title:—

“A letter to Thos. Wm. Coke, esq. M. P., showing the distress and misery which have been brought upon James Humphrey, Mary, his wife, and their five children, by the unjust treatment they have experienced from Thomas William Coke, esq., and lady Anne Coke, of Holkham, in the county of Norfolk; by which James Humphrey is incarcerated in prison, and his wife and children are brought to a state of ruin. By Mary Humphrey, Norwich; printed by R. Walker, near the Duke's Palace, and may be had of all the booksellers in the county of Norfolk.”

From this elaborate preamble of injury and suffering, the reader would hardly guess, that the complaint arose out of the disappointment of a nurse, who expected to have had the care of the infant of a lady of quality, and of course all the perquisites of such an office. The lady changed her mind, gave the woman 20 guineas, and she replied by her “tale of ruin”—the husband, it would seem, by her account, being thrown into prison for debts she had incurred in preparations for her new place.

The history is simply this:—When lady Anne was as “ladies wish to be who love their lords,” it became necessary that she should have a nurse to attend her. Mrs. Humphrey applied for the situation, and referred her ladyship to Mrs. Steele, of Stoke, with whom she had formerly lived, for a character; this character lady Anne received, and was “perfectly satisfied.” In order to do justice to

VOL. LXV.

Mrs. Humphrey, we will give her account of the consequent interview with her ladyship:—

“Some time afterwards, lady Anne sent for me to go to Holkham, and I went accordingly; but on my arrival, I found her ladyship could not be spoken with, and I was ordered to go down again the following morning, which order I attended to, though I was prevented being there so early as was appointed, by necessary attention to my infant: on seeing Mrs. Turner, she observed that lady Anne had inquired for me several times; after a short space, I was ordered up stairs to lady Anne's apartments, who inquired, if I had weaned my child; I said, I had begun to wean it. She also inquired, if I had ever been at service; I said, I had not. After some unimportant observations, lady Anne desired I would hold myself in readiness, by the 10th of December, to come at any hour she should think proper to send for me. On retiring, I inquired of Mrs. Turner what dresses I should procure to wear during the time: she said, silk and white; occasionally I might wear a coloured gown, but that I could not dress too smart for lady Anne.”

As it will save time to state the case with more brevity than Mrs. Humphrey chooses to use upon the occasion, it may be only necessary to add, that after a consultation with her friends, lady Anne resolved not to employ Mrs. Humphrey, and having informed her of the change in her intentions, gave her three one pound notes. Mrs. Humphrey having expressed her discontent at this, the steward gave her eighteen sovereigns; in addition, and, as we should have thought, Mrs. Humphrey ought

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to have been extremely well satisfied therewith: instead of which, she sends the following account to lady Anne:—

Mrs. Humphrey's Account.

Wells, January 14, 1823.

"My lady;—I beg to inclose you a statement of what I consider myself entitled to, in consequence of your ladyship's depriving me of my engagement as nurse to your ladyship's child. I remain your ladyship's obedient servant.

MARY HUMPHREY.

"Lady Anne Coke, Holkham."

"Mrs. Humphrey having had several journeys to Holkham, at the request of lady Anne Coke, and waiting her orders, considers herself entitled to £ 3

"Mrs. Humphrey having provided herself with good and extra clothes, necessary to take lady Anne Coke's place, as nurse for twelve months, claims for such expenses 30

"Mrs. Humphrey paid Mrs. Dack, for weaning her infant, to take lady Anne's place, which she would not have done on any other occasion, and for other expenses on that account 1

"Lady Anne Coke having agreed to pay Mrs. Humphrey, as wages for 12 months 20 guineas, Mrs. Humphrey claims the same 21

"As Mrs. Humphrey during the 12 months was to have been boarded and lodged, and also to have been washed for during the 12 months, charges at the rate of 1l. per week for the same 52

"Mrs. Humphrey having made an engagement with

lady Anne Coke, for 12 months, and expecting in consequence to procure similar situations afterwards, gave up her business as milliner and dress-maker, and parted with her apprentice, for the loss of which business Mrs. Humphrey considers herself entitled to 30

"Mrs. Humphrey having made application for a house-keeper to take charge of her family during her engagement with lady Anne, charges for postage of letters and loss of her husband's time on that business 1

"It being customary whenever an infant is baptised, for the sponsors and visitors to make a present to the nurse, Mrs. Humphrey, in making her engagement with lady Anne Coke, took this circumstance, as the principal one, into consideration, as also that of receiving the baby-linen, and other perquisites usually allowed to nurses attending on a person of lady Anne Coke's rank; Mrs. Humphrey did not consider the wages of 20 guineas as of any importance compared with the perquisites, or a much higher salary would have been required; consequently she feels herself perfectly justified in demanding for such loss 105

"Mrs. Humphrey having, by lady Anne Coke's treatment of her, lost the chance of securing a nurse's situation in future, in consequence of reports being spread abroad to her prejudice, considers herself entitled to a fair remuneration, and accordingly

claims, for loss of character and such chance as above stated..... 30

Total.....£. 293

22. COLOGNE.—MURDER.—An individual accused of many murders has been arrested at Beul, a village on the right bank of the Rhine, opposite to Bonn. He has already confessed three assassinations. The following is an account of the means, by which these atrocious crimes were discovered:—An inhabitant of Beul, named Moll, a shoemaker, and Henry Ochs, of Cologne, a tailor, had served together in the same company of the 28th regiment, and were united in the closest bonds of friendship: they returned to their homes after some years of service, and resumed their former occupations. Moll came frequently to visit his friend Ochs, who was married at Cologne. The young married folk always received and treated him with much affection. The judicial authority took cognizance last year of the double disappearance of Moll's step-mother, 28 years old, and of his younger brother: search was made after the persons, but in vain. Moll, having become the object of suspicion, was arrested; but for want of sufficient proofs was discharged from arrest after a detention of some months, and resumed his connexion with Ochs as before. The latter wishing to make purchases at the fair of Putzyen, not far from Beul, held on the 6th of September, set out on the 7th, having procured sixty Prussian crowns, informing his wife, that he would take lodgings at the house of his friend Moll. After she had waited the return of her husband

for eight days, she began to feel considerable anxiety, and sent a confidential person to make inquiries for him. This messenger arrived at Beul on the 18th, and saw Moll wearing the clothes and using the pipe of his friend Ochs; struck with these signs he returned to Bonn, and communicated them to the officers of justice. The judge instructor instantly despatched the civil power, and having surrounded Moll's residence, proceeded to make a domiciliary visit. They presently discovered some loose planks on the floor of the workshop; on raising which, they perceived the extremities of mutilated bones sticking out from a hole filled with earth, like those in which peasants usually preserve their potatoes. They dug out three bodies in succession: the first of which was recognized as that of the unfortunate Ochs. While the officers were busied in the work of exhumation, Moll escaped through the window; and the police were not able to retake him until about nine o'clock at night, when he was discovered in the middle of a field, in which he had laid down through excessive fatigue. He was brought back to the judge's office, where he found before him the three bodies exposed to view; at first he wished to deny every thing, but the interrogations of the judge pressed him so closely, that he became confused and inconsistent in his answers. At last, he confessed, with floods of tears, that 15 months ago he assassinated his step-mother. He afterwards avowed, that he assassinated his own brother, because he possessed the power of revealing their former deeds; he moreover confessed the murder of his friend Ochs, which he committed on the

night of the 7th of this month. An inquiry into many other murders is on foot, which also are attributed to this monster, and on which he still continues to undergo examinations. M. Schiller, son to the celebrated poet, was employed in conducting the investigation of this affair.

24. The inhabitants of Beul, fired with detestation of the murderer, Moll, assembled last Saturday, and destroyed his house, which was situated in an isolated spot at the extremity of the village. After they had demolished it from roof to foundation, they collected the combustible materials, set them on fire, and scattered the ashes to the winds.

26. **THE DISGUISED CONVICT.**—A gang of convicts was brought to Rochefort, and among the number was one described as a foundling, named Joseph, aged 23 years, who had been sentenced by the Assize court of the department of Lot, to hard labour for life, for the crime of aiding in a highway robbery, and was in consequence branded with the mark T. P. (*Travaux Perpetuels*.) It is customary, before placing the convict's dress upon the condemned criminals, to make them strip, to ascertain whether they are subject to any cutaneous disorder. This convict was, like the rest, ordered to undress; but Joseph exhibited great reluctance to comply with the order, and at length, finding resistance useless, claimed the privileges of the fair sex. The convict proved in fact to be a woman, who resigned the name of Joseph for that of Maria. On this discovery she was placed at the disposal of the procureur of the king. This woman states, that she was brought up at the hospital of Figeac, upon

leaving which she adopted the male dress and worked as a journeyman tailor. In this character, she was compromised in the highway robbery for which she was condemned, but in which she declared she was not an accomplice. She remained 13 months in prison, with many other prisoners, and during that time her sex was never discovered.

OCTOBER.

3. **EXTRAORDINARY DEATH.**—An inquisition was held before the deputy coroner for Westminster, at the Barley-mow, Mount-street, Grosvenor-square, on the body of a groom, named George Harding, 35 years of age.

The jury being sworn, and having viewed the body, received the following evidence:—

Mr. Wm. Eames deposed, that the deceased was in the employ of Mr. Dyson, horse-dealer, whose stables are in Park-lane. On Tuesday afternoon, witness was standing at the door of one of the stables, when the deceased stood behind a horse that another groom was leading, and witness heard him suddenly groan, and at the same time he fell to the ground. Mr. Fuller, a surgeon in Piccadilly, was immediately sent for, but before he arrived, the vital spark had fled. Witness cannot, on oath, say the horse kicked him, as he did not see it; it was thought, he did kick him.

Richard Wilson deposed, that the deceased was in the employ of Mr. Dyson, and before the occurrence seemed very well and sober. Witness was leading a horse out of the stable, when he was called by the last witness to the deceased,

whom he heard cry out, "Oh! oh Lord!" Witness is not aware that the horse kicked him; he felt no strain of the bridle, and the horse was perfectly quiet. The place where the horse stood was dark, and, had it kicked him, witness could not have seen it.

Mr. H. P. Fuller, surgeon, of Piccadilly, deposed, he was called to the deceased, and found him quite dead. He examined the body, but could perceive no mark of violence; he had a scar on his right breast, the cause of which it is impossible for him to say; he has not the slightest reason to believe that he died a natural death, as he was a minute before in perfect good health, and the veins in his arm were full of blood; upon witness lifting it up, the blood flowed backward and forward, showing that the circulation of the heart had been suddenly stopped. Had he received a kick in the upper part of the abdomen by the broad surface of a horse's hoof, it might not have caused any discoloration, yet it would have occasioned death. There are but one or two cases on record, similar to the present subject of inquiry, in which physiologists say, that a slight blow on the abdomen would occasion death; to use a common phrase, "by knocking the wind out," thereby putting an immediate stoppage to the circulation of the heart; and witness's opinion most certainly would be to attribute his death to that cause.

Mr. John Howship, surgeon, of 34 George-street, Hanover-square, deposed, that he had examined the body of the deceased, at the request of the jurors, and found his death was caused by a blow received on the left side and front of the chest, by which one of his ribs

was broken, and the heart lacerated; the function of the heart must have ceased from the moment the blow was received; the heart was full of coagulated blood; the third rib was broken, and had penetrated directly through the heart.

The jury returned a verdict of "accidental death, from the kick of a horse," deodand 1s.

5. SOMNAMBULISM.—A remarkable instance of this affection of the nerves occurred to George Davis, sixteen years and a half old, in the service of Mr. Hewson, butcher, Bridge-road, Lambeth. The statement is by Mr. Ridge, surgeon, who examined him.

At 20 minutes after 9 o'clock, the lad bent forward in his chair, and rested his forehead on his hands, and in ten minutes started up, went for his whip, put on one spur, and repaired to the stable. Not finding his saddle in the proper place, he returned to the house and asked for it; being questioned what he wanted with it, he replied, to go his rounds. He returned to the stable, mounted his horse without the saddle, and was proceeding to leave the stable. It was with much difficulty and force, that Mr. Hewson, jun. assisted by the other lad, could remove him from the horse; his strength was great, and it was with difficulty he was brought in doors. Mr. Hewson, sen. coming home at the time, sent for me. I stood by the lad a quarter of an hour, during which time he considered himself stopped at the turnpike-gate, and took sixpence from his pocket to be changed, holding out his hand for it; the sixpence was returned to him; he immediately observed, none of your nonsense, that is the sixpence again, give me my change; when

threepence halfpenny was given to him, he immediately counted it over, and observed, none of your gammon, that is not right, I want a penny more (making the fourpence-halfpenny, which was his proper change); then observing, give me my caster, meaning his hat, which slang terms he had been in the habit of using, he again began the motion of whipping and spurring, as if to get his horse on. His pulse at this time was 136, full and lard, no change of countenance could be observed, or any spasmodic affection of the muscles (the eyes remaining closed the whole of the time). His coat was taken off the arm, his shirt sleeve stripped up, and I bled him to 32 ounces. No alteration had taken place in him during the first part of the time the blood was flowing; at about 24 ounces the pulse began to decrease, and when the full quantity named above had been taken, they were at 80, a slight perspiration on the forehead. During the time of bleeding, Mr. Hewson, jun. related a circumstance of a Mr. Harris, optician, in Holborn, whose son some years back walked out on the parapet of the house, in his sleep: this boy joined in the conversation, and observed, he lived at the corner of Brownlow-street. After the arm was tied up, he unlaced one boot, and said, he would go to bed; in ten minutes from this time he awoke, got up, and asked what was the matter (having then been one hour in the trance). A strong opening medicine was then administered, he went to bed, slept well, and the next day appeared perfectly well, excepting debility from the loss of blood, and operation of the medicine, &c. None of his family or himself were ever affected in this way before.

During the trance, when he was stripped, he asked for his jacket, his coat was given to him, he observed this is not my jacket, it is my best coat, but never mind, I am behind my time. When he had put it on, he began the motions of whipping and spurring; he was held in the chair by force, and his observations were, "get out of the way, and let go my horse; ah! damn you, wont you, I will soon make you let him go. Go along, Jack," and whipped and spurred in order to make his horse restive and to kick, in order to get away; observing again, "let go my horse's tail, or I will soon make you." He was then brought out of the parlour into the front shop, and was asked what orders he had; he then went through the regular list of all the customers living at Brixton, &c. whom he had been in the habit of calling on, and named three pound of beef-steaks for one, the chump end of loin of veal for another, leg of lamb for another, quarter of lamb for another, &c. as regularly as if he had been sent out in a morning; he was then told to clean the shop, he stripped off his coat, and turned up his sleeves to begin washing the benches, and was obliged to be held to prevent his doing it. After two or three minutes, he observed, "there is no pig's victuals mixed up, let me go, when master comes home he will be angry at that." I then observed to Mr. Hewson, if I had the boy on board ship, I would tie him up, and flog him. It was agreed, that experiment should be tried; he was held by the arms in front, and Mr. Hewson, jun. (a stout young man) took a hand-whip, which he applied with all his force across the shoulders, but which did not appear to make

any impression, although a dozen leeches were applied. Immediately after this, the operation of bleeding was had recourse to, and the conversation occurred as related before, during the time the blood was flowing. After the arm was tied up, Mr. Hewson, jun. told him to take some lights to a customer; he answered he had taken them in the morning. He was then told by Mr. Hewson, sen. to take some more; that is of no use, he answered, I shall have to bring them back again: in three or four minutes from this he awoke, and getting up, wondered at the scene around him, but could not tell any thing of what had occurred, or be made sensible of having done any thing; but recollected having fetched in water, and of having moved from one chair to the other, in the kitchen, being the last two acts previous to sinking into the trance. His eyes were several times opened by force, and the pupils regularly contracted and dilated, but he was not sensible to vision. It was ascertained from his mother, on the Tuesday following, that, twelve months previously, he had been attacked with fever, which had affected his brain, and for which he had been sent to the Fever-house at Battle-bridge, where his head was shaved and blistered.

BENJAMIN RIDEN, Surgeon, &c.
No. 1, Bridge-road, Lambeth.

HYDROPHOBIA. — An event highly interesting to humanity, says the *Journal des Debats*, is now taking place at the Hotel Dieu, at Paris. On Monday evening, a baker was brought to that hospital, who in the course of the day had suffered some fits. On Tuesday morning M. Caillard, the resident physician of the hospital,

immediately recognised the existence of hydrophobia, and some hours afterwards the malady arrived at its most violent stage. The wildest fury, the desire of biting, dreadful outcries, and a horror for every species of liquid, were at their height. M. Caillard, knowing that Dr. Magendie was engaged in researches on hydrophobia, requested him to take charge of the unhappy patient. Without losing a moment, Dr. Magendie, acting on his former experiments, assisted by the students, injected about a pint of warm water into the vein of the patient's arm. This operation, rendered difficult by the frightful convulsions of the patient, at first had the happiest results. Half an hour after the injection, he recovered his reason; the convulsions and the desire of biting ceased. He could drink—in short, all the symptoms of hydrophobia disappeared. Four days after the operation, every thing seemed to preage the escape of the patient from this horrible calamity. Ultimately, however, he died.

COMMERCE WITH SPANISH AMERICA.

Foreign-Office, Oct. 17, 1823.

Sir,—I am directed by Mr. Secretary Canning to acquaint you, in reference to your application for protection to the trade of His Majesty's subjects with the provinces of Spanish America, that His Majesty's Government have determined to send out forthwith, Consular Agents to the several ports and places in those provinces, in which, as they have learned from the best inquiry, British interests are at present most

extensively concerned. I subjoin a list of these ports and places.

I am, Sir, your most obedient humble servant, JOSEPH PLANTA.

John Lowe, Esq., &c. &c.

Mexico	Consul-general
Vera Cruz	Consul
Acapulco	Ditto
Santa Fe de Bogota	Consul-general
La Guayra	Consul
Maracaybo	Ditto
Carthagená	Ditto
Panama	Ditto
Buenos Ayres	Consul-general
Ditto	Vice-consul
Monte Video, ...	Consul
Chile (Valparaíso)	Consul-general
Ditto	Vice-consul
Ditto	Ditto
Peru (Lima)	Consul-general
Ditto	Vice-consul
Ditto	Ditto

NARROW ESCAPE FROM AN ELEPHANT.—"On a recent elephant-shooting party at Ceylon, Captain Gambier and Mr. Hay, of the Royal Engineers, had separated from their companions, and were following a large female elephant: when pretty close to her, she suddenly and unexpectedly turned upon them; escape appearing impossible, they both fired, but with little effect; the animal immediately charged, knocked captain Gambier down, and pursued Mr. Hay, who fell; captain Gambier having recovered, and observing the imminent danger of Mr. Hay, gallantly ran with another gun to his assistance. The elephant, on perceiving captain Gambier's approach, turned round, seized him with her trunk, and raised him from the ground with as much ease as if he had been a straw; she then knelt down, and laid him on his back, still retaining her hold; she now began

gradually to lower herself, and he had already felt the pressure which appeared the forerunner of certain destruction, when, most unaccountably, the animal suddenly rose and retreated, leaving him without other injury than a severe bruise on one knee, which he probably received when she first knocked him down in pursuing Mr. Hay."—*Bombay Gazette*, May 14, 1823.

22. LIVERPOOL.—This morning, at five o'clock, a fire was discovered in the warehouses of Messrs. Booth, in Wapping. The engines arrived on the spot as soon as possible; but all exertions to extinguish the flames were unavailing, and in two hours three warehouses were a heap of ruins. These buildings were the loftiest in Liverpool, being not less than 13 stories high. They contained nearly 240,000 bushels of corn, principally foreign, under the king's lock, valued at about 60,000*l.*; besides a great quantity of cotton and other goods. The total loss, in buildings and commodities, is estimated at 150,000*l.*

POYAIS SETTLERS.—The following narrative, by one of the deluded emigrants, illustrates the history of the pretended Poyais Settlement:—

"I embarked in the ship *Honduras Packet*, together with about fifty more unfortunate creatures, doomed to misery and distress, and led away with the erroneous idea, that we were going to the finest climate and most fertile place in the world.

"On the 30th of January last we arrived at Black River, and came to anchor off the Bar, fired a gun, and hoisted our colours, in expectation of a boat coming to us: some hours after, we saw one approach us, in which were

three white people, which led us to suppose, that there must be a settlement, and that all we had heard must be true; but, alas! the dismal account, which they gave of the country, created a suspicion, which was soon confirmed. They expected Sir Gregor M'Gregor would have sent settlers out two years previously, according to his promise to the king of the Mosquito nation. Not succeeding in landing at this time, in consequence of a gale of wind coming on from the north, we parted from our cable, and were very near ashore. Next day, we bore away for the island of Bonacca, at which place we remained a few days, and then proceeded on to the Black River, where we arrived on the 11th of February, and, the weather being fine, we commenced landing. In the first boat were lieutenant colonel Hall, Dr. Douglas, Mr. Westcott, Mr. Gouger, Mr. Crawford, and myself. It being deemed expedient first to reconnoitre the place, we proceeded up the creek a considerable distance, when a house, or rather a hut, appeared to our view, the property of one of the people in our boat. On each side of the creek were impenetrable bushes, and marshy ground; of course we were anxious to know what sort of soil in general they had, when, lo! they said it was mostly all swampy. By this time, two boats had landed full of men: some were inquiring about the town, others had their fears, that Sir Gregor M'Gregor had done this on a plan to raise money. We inquired for the town of St. Joseph's, but the man said it was now too dark to be able to find out where the old town of St. Joseph's *formerly stood*, it being so thickly overgrown with bushes.

Next morning I went with some of the men, at the request of lieutenant colonel Hall, in order that we might clear a sufficiency of ground to pitch tents to cover us from the weather, and it was three days before we could accomplish this. While some were employed in getting the cargo ashore, others were getting the tents up, in order to make the best shift possible for some time; but very little of our cargo did we receive; a gale of wind similar to that of the 30th of January came on, on the 16th of February, so that captain Hedgecock sailed for Cape Gracias a Dios, a harbour about 200 miles from Black River, taking with him the remainder of the stores, which were of the greatest importance to the settlers. We daily looked for his return back to deliver the remainder of his cargo, but a month elapsed before we heard of him. In the [mean time, a messenger had been sent from the king of the Mosquito nation to lieutenant colonel Hall, with a letter, stating 'we must come under allegiance to him or quit his territory, and Sir Gregor M'Gregor's grant was null and void, as such a grant was not, or would not, be valued by him.' Sickness had already made way amongst us; in fact, living under a vertical sun in tents, eating salt provisions, and drinking bad water, were circumstances likely soon to bring on fatal disorders. About this time, colonel Hall thought he would go and visit the king, and see what could be done to relieve the distress which was fast approaching. I was one of those who accompanied him on his visit, and, after 11 days, we arrived at Cape Gracias a Dios. To describe our sufferings during that time, would

not be easy; the want of water and food, exposed to a vertical sun, and walking on a sandy beach, bit by large flies, sand flies which the coast swarms with, and the cold sand to sleep on after a hard day's journey—these circumstances were no strangers to us. Two days after our arrival at the Cape, a messenger from Black River came to announce the arrival of another ship, with about 150 men, women, and children, which, together with our number, made upwards of two hundred.

"The rainy season was now fast approaching, sickness daily increased, and it was but a very short time before all were laid up with the fever and ague, not one able to assist another out of such a number. Previously to this, three men and a woman got a boat, in order to proceed down to Belize: the poor creatures were in such haste to get away, that they went off without water, and did not discover their misfortune until it was too late; the consequence was, that the husband of the poor woman died for want in the boat; the others, after much suffering, reached Belize. Two of the people about the same time engaged a canoe from some of the natives, to convey them to the same place; when they were well out to sea, the natives plundered them, and threw them overboard; one was immediately drowned, and the other, being a good swimmer, reached the shore almost dead, and, after being, I believe, two days without food, he was met by an Indian woman, who gave him some victuals; he at last reached Belize.

"The ship which arrived from Scotland having gone to Belize, a Mr. Gouger went down with her, and made known the distress-

ed state the settlers were in at Black River, when Mr. Bennett's schooner immediately came up to our relief, and conveyed a number down to Belize; but before this vessel arrived, ten or eleven had already been consigned to the grave. But for the interference of those humane and generous people at Belize, we must all have perished, either for want or by sickness. I myself was still at the Cape, but finding that they were about to leave for Belize, I determined to undertake the journey by sea in a small canoe. I had not proceeded far, before we found it would be prudent to make for the shore, which we did at the risk of our lives, at least of mine—as the natives are such good swimmers, that they do not care if a boat should fill, as they always reach the shore; however, I reached the shore in safety, although with difficulty, as it rained very hard, and having been wet so long, I found myself to be very weak. However, after undergoing many hardships, I arrived at Black River, and found only five or six remaining, all of whom were sick. We had to await the arrival of the schooner to take us away, with the remainder of the stores, &c. I was almost immediately seized with the fever and ague.

"Some, that came out from Scotland, were well advanced in years: they had come there to spend the remainder of their days in peace and comfort—as Sir Gregor M'Gregor told them they could live without working—two crops of all sorts of corn, &c., without cultivation: such were the ideas of the deluded people. Corn and potatoes we set in the ground for a trial; but whenever they made their appearance above ground, the sun was so hot, that they were immediately destroyed.

"After a long illness, I was cheered by the hope of once more seeing my native land, as the Medical Board deemed it proper to send all those back, who were much reduced and not likely to recover in that climate. Being one of these, I embarked on the 1st of August, on board the ship Ocean, with four others. The number which returned does not exceed forty; and I fear there will be but few more.

"EDWARD LOW."

6, Stafford-place, Pimlico, Oct. 23.

STAFFORDSHIRE SESSIONS — WITCHCRAFT AND ROBBERY.— James Roxborough, and Sarah, his wife, were indicted for stealing 25*l.*, the property of a respectable tradesman of Hanley.

A. R. deposed, that she was the wife of the prosecutor, living at Hanley. She first saw the prisoner, Sarah Roxborough, on the 15th of August last, when she told witness, that she could "rule the planets, recover stolen goods, and get bad debts in." On the 18th, witness again had an interview with her, and she stated, she would get bad debts in for a shilling in the pound. Witness saw her again on the 22nd, and made an agreement with her to come to her husband's house on the 26th. According to agreement, prisoner came about 10 o'clock in the morning of that day, and desired witness to have a fire made in a small room above stairs, as the one below would not be private enough— she also requested witness to procure twenty-five one-pound notes, or five five-pound notes, and place them in her bosom immediately, where they were to remain till nine o'clock at night. Witness applied to her husband for the notes, which he allowed her to have—they were twenty-five of Kinnersly's notes;

and she prepared a fire in the magic chamber. Mrs. Roxborough came again to her husband's house a little after two o'clock, and proceeded to the room up stairs, witness going with her. The prisoner then sent witness down stairs twice—the first time for a few pins, and the second for some of her husband's hair. She then inquired, whether the notes had been obtained? Witness first answered negatively, but afterwards said, she had them in her bosom. Prisoner then said, "I must have them out—I can go no farther, till I have them." Upon witness delivering the notes to her, the woman placed a little of Mr. R.'s hair between each, and wrapped them up in a piece of paper, which she had brought with her, and laid them on a chair. On witness attempting to replace them in her bosom, prisoner said, they must remain on the chair a few minutes, and asked for some chalk or pencil, neither of which articles were at hand. She then desired witness to stand in a certain part of the room, and gave her some pins to throw into the fire, which she was to watch till they were consumed. Witness divided her attention between the pins in the fire and the money on the chair, and, shortly after, observed the prisoner snatch up the notes, laying a roll similar to them in their place. Witness instantly charged her with taking the bills, but she denied it, and pronounced witness a false lying woman, who immediately called up her husband.

J. R., husband of the last witness, gave his wife twenty-five pound notes of Kinnersly's bank, on the 26th of August, and on that day Sarah Roxborough came to his house: he was called up stairs in the afternoon by his wife,

into a back room, where he found the female prisoner; his wife said, the woman had gotten the notes, and would not part with them; upon this, he asked the prisoner, what she had done with the notes, and she answered, "I have thrown them into the fire;" and offered to be searched. Witness examined her pockets, but could not find the money. James Roxborough came into witness's shop a short time after he had been called up stairs, but witness did not know he was husband to the enchantress, or he should have detained him.

Cross-examined.—Had usually employed a lawyer to get his bad debts in, and found it better than employing a witch. Lawyers did not require 25*l.* to begin with.

Ralph Barton, constable, was sent for, on the 26th of August, to search Sarah Roxborough, but found no property upon her. She said, she had thrown the notes into the fire, and afterwards that she had thrown them through the window.

Mrs. Clarke, matron of the county-gaol, proved that eight 1*l.* notes of Kinnerly's bank were given to her by Sarah Roxborough, when she came to Stafford.

Before the case went to the jury, the Court remarked that nothing in the evidence implicated the male prisoner; they had therefore to confine their attention to the female.

Sentence on Sarah Roxborough, one year's imprisonment; James Roxborough acquitted.

OUTRAGE IN A COURT OF JUSTICE.—At the Manchester Sessions, on Saturday last, Samuel Shore, David Hughes, and John Grattan, were tried for stealing a pocket-book and its contents (one Bank of England note for 1*l.*, and

three promissory notes), the property of Thomas Moss. The two former were found Guilty, and Grattan was acquitted. Previously to passing sentence, the Chairman, as is usual, asked what was known of the previous habits of the men, when he was told by Battye (one of the beadles), that Shore had already been transported, that both were men of notoriously bad characters, and that the brother of Hughes had recently been hanged. Sentence of transportation for life was then passed on them; and immediately Hughes struck Battye a severe blow on the face, which felled him to the floor; another beadle having come to the assistance of Battye, Shore joined in the outrage, both prisoners striking and kicking him in the most brutal manner. The court became a scene of uproar and confusion; some women, who were in the dock as prisoners, shrieked out; and it was with difficulty, that the villains were secured, taken from the bar, and put into heavy irons. The Court then proceeded to consult as to the proper mode of treating the culprits. The sentence of the law had been already passed, and could not be altered: but, on referring to the act for the regulation of prisons, it was found that, at the discretion of the magistrates, prisoners guilty of outrage in prisons might be whipped. They were, therefore, again put to the bar, and, evidence of their conduct being regularly gone into, they were ordered to be taken and severely flogged *instantly*. This was done in the front of all the prisoners of the ward to which they belonged. Shore was the first, upon whom the cat-o-nine tails was applied. He called out for mercy during the whole time of the

operation; but Hughes was more hardened—he uttered no shriek.

24. A murder of a most atrocious description, committed in Gill's-hill-lane, near Batler's-green, in the parish of Aldenham, Herts, completely occupied the public attention towards the end of the month. The investigation of this affair commenced at Watford, on Tuesday the 28th of October. Mr. Nicholls, a farmer, at Batler's-green, gave information, that Philip Smith, farmer, of Kemp's-green, had, on Friday evening, Oct. 24, about 8, heard the noise of a chaise going down Gill's-hill-lane, and shortly after, the report of a pistol, followed by deep groans. On Saturday, Nicholls received from two labourers a pistol, which they had just found lying under the lane hedge, and the labourers told him, they had that morning seen two persons come down the lane at break of day, and go to the spot, where they continued *grabbling* for about five minutes, as if looking for something they had lost. Information of this was immediately sent to Bow-street. Meanwhile, the Watford magistrates, Robert Clutterbuck and J. Finch Mason, esqrs., proceeded to Nicholls's house at Batler's-green, and, after some inquiries, went to Probert's cottage, and took Probert into custody; and in the night arrested Thomas Thurtell at Probert's cottage. They also sent warrants to town by Ruthven, the officer, to arrest John Thurtell and Joseph Hunt, on suspicion of having committed the murder. On Wednesday, Ruthven brought J. Thurtell and Hunt to Watford. A Mr. Noel attended the magistrates, and informed them, he suspected the person murdered was Mr. Weare, of Lyon's-inn. The

magistrates then commenced an examination of several witnesses. Thurtell, Hunt, and Probert were also examined; after which Hunt made a confession; in consequence of which the murdered body (that of Mr. William Weare, of Lyon's-inn) was searched for, and found in a pond within seven miles of Watford; the legs, which were quite naked, were tied together with some new cord, and the upper part of the body was concealed in a sack tied on. Affixed to the sack was a handkerchief containing stones. The body was conveyed, precisely in this state, to a public-house in the parish of Elstree, where the coroner's inquest was held.

The following were the material parts of Hunt's confession: he commenced by describing a meeting some time since between himself and the prisoner, John Thurtell, when the latter stated, that the deceased, Mr. Weare, had won 300*l.* of him at play, by means of false cards, and that, on being challenged with it, the deceased's reply was, "You dare not say a word about it, for you know you have defrauded your creditors of that amount." Thurtell then professed to Hunt a determination to be revenged. On the morning of the day when the murder took place, Hunt and J. Thurtell were together, when the latter purchased a pair of pistols (with one of which the deed was perpetrated): they afterwards dined together; and in the evening Thurtell left town in a gig, saying he was to meet a gentleman at Paddington-gate, who was going with him on a shooting excursion into Hertfordshire. The same evening, about an hour after, Hunt accompanied Mr. Probert to his cottage

at Gull's-hill. When they arrived there, they met J. Thurtell, who told them, he had blown out the deceased's brains, and that the body lay behind a hedge in the lane. They then supped together at Probert's; after which Thurtell produced the deceased's gold watch, and wanted them to go to look at the body, which, he said, was in a sack, but they would not go. They sat up all night; and, about four o'clock in the morning, Thurtell went out, brought the body across his horse's back, and threw it into Probert's fish-pond: on the same morning, Hunt and Thurtell returned to town. On the Monday after, they went down again to Probert's, and, on that night, Thurtell removed the body in his gig from Probert's premises, and threw it into a muddy marsh about four feet deep, where it was afterwards found.

Probert expressed a wish to see the magistrates; they went to him, when he confessed all he knew of the matter; that his hand did not commit the murder; that, after it was perpetrated, Thurtell threatened to murder him, if he opened his lips upon the subject, and told him, that he had picked out seventeen persons of substance whom he intended to rob and murder, and that the deceased was one of them.

At the coroner's inquest, which was held on Friday and Saturday, after the collateral evidence had been gone through, the prisoner Hunt was called in. His whiskers had been shaved off, and he came forward apparently not much affected by his situation. The coroner said, "We are willing to receive any statement you may give us, but we do not ask you to commit yourself in any way what-

ever before this jury." He then gave a statement, in a cool, collected, and precise manner, occasionally sighing heavily, as he paused for it to be written down; the material substance of which is detailed before. The coroner then put various questions to Hunt, arising out of his evidence, from which the following additional facts came out: 6*l*. were given to Hunt, and 6*l*. to Probert, by Thurtell. When asked for what, Hunt said it was given him for his professional duties, that is, for singing to the company. He afterwards acknowledged, that the 6*l*. was their share of the money found on Mr. Weare. After Thurtell called him and Probert out, and told them of the murder, they all returned quietly to sing in the parlour, where they made merry during the evening! The sack was bought by Hunt, in Broad-street, Bloomsbury, near Hind-street, and taken to John Thurtell, who told him it was to put game in. He also purchased the cord, which he (Hunt) supposed was to tie it up with. Thurtell took the money from a note-case, which, with a brown purse and a betting-book, he afterwards threw into the fire. On Sunday, Hunt, when at the cottage, wore a suit of cloaths belonging to the murdered man! Mr. Weare's other things were also given into Hunt's charge.—Probert being brought before the jury, entered into a full statement of his connexion with the Thurtells and Hunt. He denied having any knowledge of the murder, till informed by John Thurtell. On asking who was killed, John Thurtell said, "It don't matter to you, you don't know his name, and never saw him; and if ever

you say a single word about it, by G—d you shall share the same fate, for Joe and I (meaning Hunt and John Thurtell) meant to have had your brother-in-law that is to be (Mr. Wood), the other day, only that he ran so fast when he saw the house, and escaped." He also said, "I have more to kill, and you will be one of them, if you don't do what is right." When Mrs. Probert pressed Hunt and Thurtell to go to bed on the Friday, one of them replied, "We have a good deal of night-work to do, and want to use ourselves to it." Thurtell and Hunt threw the body into his pond.—Mr. Noel said, Hunt's confession was disproved in many parts, and, upon proof of his confession being false, he might still be put upon his trial.—The coroner summed up the evidence; and the jury returned a verdict of Wilful Murder against John Thurtell as a principal, and against Hunt and Probert as accessories before the fact. The prisoners were conveyed to Hertford gaol.—The coroner and jury expressed their conviction of Thomas Thurtell's innocence of the murder; but he was detained on a charge of conspiring to set fire to his house, in order to defraud the County Fire Office.

The body of the murdered man was inclosed in a coffin, and carried under a pall by six bearers to Elstree church-yard, and there buried at eleven o'clock on Saturday-night.

Hunt is brother to the vocal performer at Covent-garden, and a short time since kept the Army and Navy Coffee-house, in St. Martin's-lane. The two Thurtells are sons of Alderman Thurtell, of Norwich, a man of the highest respectability. Probert was formerly a wine-mer-

chant, and has taken the benefit of the Insolvent Act.

It has been stated, that an association of several desperate characters, comprising, among others, the three prisoners committed to Hertford gaol for the murder of Mr. Weare, had taken houses in Manchester-buildings and Cannon-row, situations, which, from their contiguity to the Thames, were every way calculated for their atrocious intentions. Their avowed object was, to inveigle persons, who were known to be the bearers of sums worthy of plunder, to these abodes of murder, and there first to assassinate, and then despoil them of whatever property they had about them. One instance is said to have occurred, in which a victim was almost obtained. John Thurtell, and a person named Wood, both paid their addresses to a Miss Noyes, sister to Mrs. Probert: the jealousy of Thurtell carried him to the resolution of murdering his rival; and, to further his intentions, a feigned letter was written, purporting to come from Miss Noyes, fixing a meeting with Wood at the very house alluded to in Manchester-buildings. It had been decided, that Wood was to be murdered by Thurtell, and, as a silent and bloodless way of putting an end to him, a pair of dumb-bells were the weapons to be employed. Wood became alarmed on first entering the house, and by a precipitate retreat saved himself from the fate that awaited him.

PALACE COURT. — *Oates v. Montague Burgoyne, esq., and others.*—Mr. Thesiger stated the case. It was an action brought by a poor widow, to recover a compensation in damages against the defendant, Mr. Burgoyne, and the other defendants in his service, for

a trespass in partially injuring her cottage. She had resided at East Sheen, in the cottage in question, upwards of 12 years; and though extremely poor, had supported herself without being a burthen to any one. Mr. Burgoyne, who a few years since had taken up his residence at East Sheen, wished to obtain considerable property in the neighbourhood, and became possessed of a reversionary interest in the widow Oates's cottage, but possession was not to be taken for a certain time, and that time had not elapsed when the trespass was committed. Mr. Burgoyne, however, wished to anticipate the period, and the poor woman was more than once threatened; and in consequence, about the middle of August last, she repaired to London, to obtain the advice of her son-in-law, having first secured the windows and doors. During her stay in the metropolis, she received a letter from a neighbour, informing her that the cottage was being pulled down. On receiving this intelligence, she immediately returned, and found the tiles of the roof of the house were taken off, her garden trodden down, and the workmen busily employed in making alterations. She ordered the men to desist, and called her neighbours to view the waste of her property. Her bed was so much injured by exposure to the weather, that she was unable to sleep in it. Application was subsequently made to Mr. Burgoyne on the subject; his reply was, "Let her go to law. I have 500*l.* to spend!" A letter was afterwards sent to her son-in-law in Mr. Burgoyne's hand-writing, enumerating the injuries done to the house, and observing, that, if the widow would allow him to repair the house, he would give her three guineas, and

she might quit it at Michaelmas. Enclosed in the letter was a curious document, in which the bricklayer stated, that he was ready to swear no injury had been done to the goods. After this, there was a proposition to refer the matter to the solicitor of Mr. Burgoyne, but the poor woman had brought her case before a jury; and to show them there was no vindictive feeling, she merely claimed the sum of 14*l.* 19*s.*

The case being proved, the jury, without hesitation, returned a verdict — Damages 14*l.* 19*s.*, and costs; and the Foreman observed, "We are extremely sorry we cannot give a great deal more."

NOVEMBER.

EXTRAORDINARY NARRATIVE — The following statement was lately made before some members of the Seamen's Friend's Society, who have scrupulously inquired into the facts. On the 9th of May, 1820, the smack *Princess of Wales* sailed from London to Prince Edward's Island, in the Indian sea, for the purpose of catching seals, which sea they reached on the 17th of March, 1821. At midnight she struck on the rocks of the island of Crozette; the crew got out the long-boat, and reached shore, having saved nothing from the wreck but a tinder-box, a frying-pan, a gridiron, a lance, and a few knives. Before this occurrence, eight of the crew had left the smack in a boat, with the intent to fish close to another island, on which they were obliged to go ashore, and next morning each party thought the other lost. Those, who had landed in the island of Crozette, were seven in number.

The night was extremely dark, and the sufferers had no other means of protection than the boat, which they turned over themselves as a security against the sea-elephants, which were in great abundance in the neighbourhood. In the morning they saw the vessel on her beam-ends, with a large hole in the bottom, and a heavy sea washing over her. They succeeded, after several attempts, in getting possession of a few chests of spoiled bread, a part of one of the sails, some rigging; and at last they got hold of the mast, which was soon separated by the storm from the vessel. For three weeks their only shelter was under the boat, being prevented from building a hut, by the inclemency of the weather. They lived upon birds and the tongues and hearts of the sea-elephants. The former they caught with ease; the latter they killed with the lance which they saved from the wreck. In the course of a month, they raised a hut with the materials saved from the wreck, covered the roof with the skins of the sea-elephants, and made beds of grass. Their winter, in consequence of the island being in about 47 degrees South latitude and 47 degrees East longitude, took place at the period of our summer season; but, indeed, so inclement was the weather during their abode there, that the summer might be said to be limited to one month. Their clothes lasted until December, when they were obliged to use seal skins, which they sewed together with the sinews of the sea-elephant, by means of an old nail. Their whole time was occupied between eating, lying in wait for the sea-elephants and birds, and reading a Bible, which had

VOL. LXV.

been saved from the wreck, and co-operated with the sufferings they had undergone in reforming the most dissolute amongst them. The month of December had not ended, when they were astonished and delighted at seeing a boat row up to the beach, and their eight shipmates, who they feared had been lost, land upon the island. It happened that the very plans, adopted by the one party, had been acted upon by the other. They were dressed in the same manner, and had lived in the same way; but those who had left their island had not been able to raise a hut, and had ventured again upon the water, in search of a more comfortable abode, which they found amongst their friends, after a search of about 15 miles. The two islands were distant from each other upwards of 3 leagues. The inhabitants being thus collected, and having remained together 3 weeks, the means of living began to become more scanty, and it was agreed that five of the number should go back to the neighbouring island to live upon the produce there, while those who remained should build a vessel of the materials of the hut and of the planks of some houses formerly erected by the Americans, which were buried in the sand. In about five months, a lugger of about 12 tons was completed. They launched her, and intended to depart the day after, but to their dismay, on the very night of the launch, she was blown amongst the rocks, and her stern was beaten in. Scarcely, however, had this calamity occurred, when an old fellow, who was constantly employed on the look out, cried out, "A sail." They all looked in the same direction, but the general

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opinion was, that the sail was no other than a large bird, which had often led them into errors of the same sort. They, however, lighted a fire with the blubber of the sea-elephant, their only fuel, on the most elevated part of the island, to attract the attention of the vessel, if there should be one in sight. They soon saw a schooner, which sent a boat ashore. The shipwrecked seamen ran towards this delightful object, but as their seal-skin trowsers retarded their progress they threw them off, and the crew of the schooner actually took them for a new race of inhabitants. So great was the desire of the unfortunate men to get on board, that they ran into the water, and swam towards the vessel, where they were provided with every thing they were in want of. The schooner was the *Philo*, of Boston, captain Percival. They were taken to the Isle of France, and two of them, named Veale and Petherbridge, came home in the *Lord Exmouth*, captain Evans.

BERLIN.—The grandson of the late Marshal Blucher is a lieutenant of Hussars, and was lately arrested for wounding with a poniard, an actor, who had beaten him on finding him alone with his wife. The young count was subsequently adjudged to undergo three months' imprisonment in a fortress. His majesty the king of Prussia confirmed the finding of the Court by an Order of the Day, in which is the following passage:—"I desire that the officers of my army should not endeavour to support their dignity by vindictive and sanguinary outrages, which they draw upon themselves. I require of them, that they should preserve their dignity by conduct at

once decent and moral, in abstaining from actions which are alike repugnant to the laws of honour and morality. In making known these sentiments to the army, I must add, that it is afflicting to myself to find so compromised a name justly venerated."

10. NAVAL COURT-MARTIAL.—A Court-martial was held on board the *Queen Charlotte*, to inquire into the conduct of lieutenant William Price Hamilton, late of his majesty's ship *Topaze*, as connected with the affray which took place in the month of December, 1821, between a party of seamen belonging to that ship, and some of the natives of Lintin, in China. Lieutenant Hamilton's statement of the circumstances, as reported to captain C. Richardson, (who was absent at some distance from the ship at the time, during which lieutenant Hamilton was commanding officer), was read to the Court; by which it appeared, that on Saturday, the 15th of December, 1821, he sent the barge on shore with a division of seamen, at Lintin, to get the daily allowance of water, and to wash and scrub their clothes on the beach. Two midshipmen were sent in the boat to take care to preserve peace; notwithstanding which precaution, an affray ensued between the party sent to get water, and the natives; the latter, from some unknown cause, having come down in great numbers, and attacked the seamen. Upon this being observed on board the *Topaze*, lieutenant Hamilton immediately caused a fire to be opened on the shore, by which some of the natives were killed. Boats were despatched from the ship at the same time to bring off the party of seamen, which was effected without the

loss of any lives on their part, although several of them were severely wounded. A large mass of documentary evidence was also read, consisting of correspondence between captain Richardson and the Chinese authorities, &c. on the subject. Several witnesses were then examined, and the Court having completed the inquiry, pronounced as follows:—"The Court is of opinion, that the death of the said natives arose from an unprovoked and barbarous attack made by them on an unarmed part of the crew of his majesty's ship *Topaze*, who were peaceably employed on shore on the occasion above stated; and that the measures, so promptly adopted by lieutenant Hamilton, were absolutely necessary to save the lives of the above-mentioned men, and that he did not continue the fire from the ship after that object was obtained; and that the conduct of lieutenant W. P. Hamilton was that of a zealous and meritorious officer, anxious to preserve the lives of the crew under his charge, and to support the honour of the British flag, in repelling a wanton insult on it, and doth adjudge him to be honourably acquitted."—Captain E. Brace, C. B., of the *Ganges*, President.

SPANISH LOANS.

Copy of a letter from M. Guehard to the editor of the *Journal de Commerce*.

Paris, Nov. 10, 1823.

Sir,—Your Journal of the 8th inst. contains a long article, which is evidently directed against the loan I had contracted with the Spanish Government; though, by the commencement of the article in question, it might appear to have for its principal object to

provide for the deficit of the obligations contracted by the late Cortes.

This article, in which are amalgamated all the absurdities which have been circulated for some time respecting the finances of Spain, must not remain unanswered by me. It not only involves my credit and reputation, which in other respects are happily unassailable in this way, but it is also necessary to enlighten the public with respect to a system of falsehood and deception, of which many honest families have already become the victims, since they have had the imprudence to speculate on the futile promises of a vanquished party, who are still desirous to be indemnified for the advances they have made to their Spanish brethren.

I contracted on the 16th of July last, a loan with the Regency of Spain. The conditions were finally settled at Madrid by myself, on the 20th of September following. His Catholic majesty has confirmed them since his deliverance; and the act, which contains this august confirmation, is dated October 20. The Treasurer-general of the Finances has himself been charged to transmit this confirmation to Paris, which accordingly was officially transmitted to me on the 5th of this month. M. Carassi was also directed to do away all obstacles which interfered with the operation of the loan. This business has been executed: the definitive terms of the Spanish government are in my possession, and may be had every day at my bureau, by such subscribers as, being desirous to enjoy the *bonus* of 5 $\frac{1}{2}$ per cent., pay the amount of their subscriptions into my bank.

All the authentic documents concerning the loan, its conditions, and its securities, which I verified, may be inspected at any time, being deposited in my bureau.

Such, Sir, is my simple and final answer to the calumniators of an operation which has for its object the establishment of the legitimate throne of Spain, and to consolidate, by the monarchical system, the repose of all Europe.

With respect to obligations of the Spanish Revolutionists, I shall only say, that I know nothing of their invalidation; since this measure had been decreed by the Regency, and made public both at Paris and London, ever since the month of June last, a period at which I myself had not conceived the idea of consecrating my services to the Government of Spain; but as a party guaranteeing the royal loan, which had been contracted during the revolution, while loans were making by the Cortes, I do not think it useless to remove the errors and misrepresentations contained in your article of the 8th instant.

It is not true, Sir, that the property, which his Catholic majesty is about to restore to the clergy of Spain, affects the guarantee of the loans contracted by the Cortes. The question at present is, as to the propriety of restoring lands sold in consequence of the spoliation of the Cortes during the captivity of the king, and which his majesty has returned to their legitimate possessors, on the simple ground, that being free upon his throne, he desires that justice should be placed upon its ancient footing.

The loans of the Cortes have no other guarantee than the entire revenue of Spain—a guarantee at

once insufficient and indefinite. Their surest guarantee rested on the success of the revolution in Spain, and the effect of these loans has, properly speaking, been, to identify the lenders with the views and opinions of the revolutionists. Since the prospect of success has entirely vanished, the spirit of party-ignorance still persists in misguiding public opinion, by endeavouring to persuade the Spanish people, that they are obliged to fulfil the engagements contracted by their oppressors, and to reimburse those depredations which were employed to enrich the gaolers of the king.

Any one who knows the situation of Spain, and possesses good sense, must be convinced that the admission of such claims would be unanimously reprobated by the Spanish nation, and could not be carried into effect. His Catholic majesty, in definitively annulling these Loans, has followed the counsels of wisdom, justice, and necessity; for the king of Spain, whose reputation will sooner or later come out purified from the calumnies of faction, is desirous of reigning with Spain—and not against Spain!

I conceive, Sir, that I ought to avail myself of this opportunity to answer mis-statements, and communicate the truth, respecting the loans of the Cortes, with the single view of informing the public. I may add, that the instructions given to the Treasury-general, in the decree which ratifies my loan, concludes in these words—‘He (Mr. Guebhard) is at liberty to make such arrangements as he may judge necessary with respect to the Royal loan; under the express condition, that he will take no step leading to a recognition of

the loans made by the self-styled 'Cortes during the period of the revolution.'

I have the honour to be, &c.,

LOUIS GUEBHARD.

14. In the night, a terrible storm of thunder and lightning, and a very heavy rain, burst over Messina. The water, which poured in torrents from the surrounding hills, entered the villages, overthrowing and laying waste whatever opposed its progress, destroying churches, mills, magazines, cottages, and flocks, and covering the fields and gardens with steril clay and stones. Many of the inhabitants, being taken by surprise, fell victims to this sudden calamity. The waters did not spare even the city itself. The damage was estimated at two millions of ounces. The number of dead bodies found was 331. Among the persons who perished were, the Cavaliere Bandiere, his wife, and their five young children. The villages of the Camere Inferiori, of Gazzi, Santo Bordonaro, Santa Lucia, San Filippo, suffered great injury; as also that of Annunziata, the church of which was destroyed.

15. COURT OF SESSION OF SCOTLAND.—*Law of Marriage*—A case of considerable importance to the law of marriage was decided by the second division of the court.

The following were the facts of the case, as they came out in the pleadings of counsel and speeches of the judges. A was a maiden lady, who some years ago succeeded to a very considerable property. She had long been unfortunately in the habit of drinking to excess. In 1818, and in the 51st year of her age, she resided at N—, an estate distant three miles from a certain burgh, with

her nephew, to whom B, then aged only 23, was gardener. On the evening of the 30th of March, 1818, the parties disappeared from the house, and proceeded on foot to the house of Mr. M., one of the baillies of the burgh, in whose house B's sister resided, in the capacity of a servant. The master of the house was from home; but, in his absence, another baillie, who was *ex officio* a justice of the peace, and the procurator-fiscal of the justice of peace court, were brought to baillie M.'s house, and there, upon the request of the parties to be married, the procurator-fiscal preferred an indictment against them, charging them with having been irregularly married, contrary to the act 1661, cap. 34; to which indictment they pleaded guilty, by a written acknowledgment, subscribed by themselves and the justice of peace.

After the conclusion of the ceremony, B. hurried A. away to the house of his brother-in-law, a tailor in a village at some distance. Here she was visited next morning by her nephew, who had come in pursuit of her; but, according to his account, she was so much intoxicated, that he could have removed her only by force, which was not safe, or even practicable. In the tailor's house she was also visited by two persons, in the confidence of the nephew, who were convinced from what they observed, that both her senses and her feelings had been practised upon. An attempt was now made by B. to have himself and A. rebuked by the minister of the parish, in which the village is situated, for an irregular marriage; but the clergyman refused to rebuke them, on the score that they were not his parishioners. However, in

consequence of some manœuvre, he addressed a letter to the then minister of an adjoining parish, who came out of the bounds of his own parish to the village, and there not only rebuked them, but made them go through the formal ceremony of marriage. After passing about a week in the village (during all which time it did not appear that the marriage was consummated), the parties returned to the burgh, with the design that A. should receive some monies in the bank. When in the burgh, the lady escaped from B., and fled to the house of a relation, from whence she effected her escape to her own home, at N.,—where she obstinately persisted in refusing to return to B's society.

In consequence of certain proceedings adopted by B, the lady thought proper to raise an action against him, before the commissaries, of declarator of freedom and putting to silence. He, on the other hand, raised an action of declarator of marriage. In these actions (which were conjoined), A. pleaded, generally, that she was in a state of intoxication and imbecility, at the time when those proceedings took place, which were held by the other party to constitute marriage. B. maintained the validity of the alleged marriage, and applied to the court of session by bill of advocation, which, having been advised with answers by lord Cringletie, ordinary, upon the 9th of May last, his lordship pronounced against the marriage, and refused the bill.

The case came now to be advised, upon petition and answers, by the inner house, when the judges severally delivered their opinions.

Lord Craigie briefly expressed

his conviction, that A. was in a state of inebriety, when the pretended marriage before the justice was solemnized.

Lord Robertson went over the evidence at great length, and expressed a decided opinion, that A, the female party, neither was, nor could have been sober, when the sham ceremony took place in —, having been drunk nine days previously, having drank a choppin of spirits that day, besides smaller quantities, in her progress to the house of the magistrate. She was seen drunk in the streets immediately before the ceremony took place, by two witnesses; and, after the ceremony, she was seen by another witness put into the chaise like a bundle of old rags. Nor was there any doubt in his mind, that, during her stay at —, she had been kept in a state of stupefaction.

Lord Glenlee signified his assent to the opinion delivered by lord Robertson.

The Lord Justice Clerk observed, that he never knew of a more hideous and disgusting case than the present, and it was the more so, from the manner in which some of the evidence had been given. It was clearly established, that, before the sham ceremony and after it, the pursuer A. was in a state of beastly intoxication; and, from the quantity of spirits she had drunk, she could not well have been otherwise. As to her condition during the ceremony, there was direct proof that she was drunk at that time. With respect to the offer of new proofs, to listen to it for a moment would only be consenting to open the door for a flood of frightful perjury. Who were the persons wanted to be examined? The very persons

whom B. did not venture to examine at the proper stage, and by whom A. had been kept in durance while in the village. The offer was altogether inadmissible at this stage of the process. The proceedings, which were said to constitute the pretended marriage, were a scandal to the administration of the law of the country.

Petition for B, the male party, refused.

It was stated at the bar, by the counsel for A, that she had already actually expended 1,200*l.* upon this suit.

20. When the Court of Session met, John Clerk, of Eldon, esq., advocate, attended in the first division, and presented to the lord President his majesty's letter, appointing him one of the Judges of the Supreme court, in room of lord Bannatyne, resigned. The letter was read by sir Walter Scott, in presence of their lordships, and a great number of leading counsel and agents. Mr. Clerk then retired with lord Pitmilley, and sat as lord Probationer, and afterwards reported a case to the first division. He took his seat as one of the lords ordinary, under the title of lord Eldin.

29. MR. CANNING'S VISIT TO PLYMOUTH.—A special meeting of the corporation of Plymouth was held on Wednesday, to present the freedom of the borough to Mr. Canning.

About twelve o'clock Mr. Canning entered the hall, amidst the loudest acclamations, accompanied by the recorder, sir W. Elford, bart., who had been waiting to receive him. Mr. Canning having taken his seat next the mayor, the recorder, with an appropriate address, presented the right honourable gentleman with the patent,

enclosed in a handsome box, cut out of a very fine block of the Breakwater marble, richly set in silver, when

Mr. Canning rose and delivered the following speech:—

“Mr. Mayor and Gentlemen,—I accept with thankfulness, and with greater satisfaction than I can express, this flattering testimony of your good opinion and good will. I must add, that the value of the gift itself has been greatly enhanced by the manner in which your worthy and honourable recorder has developed the motives which suggested it, and the sentiments which it is intended to convey.

“Gentlemen, your Recorder has said very truly, that whoever in this free and enlightened state aims at political eminence, and discharges political duties, must expect to have his conduct scrutinized, and every action of his public life sifted with no ordinary jealousy, and with no sparing criticism; and such may have been my lot as much as that of other public men. But, gentlemen, unmerited obloquy seldom fails of an adequate, though perhaps tardy compensation. I must think myself, as my honourable friend has said, eminently fortunate, if such compensation as he describes has fallen to me at an earlier period than to many others; if I dare flatter myself (as his partiality has flattered me), that the sentiments, that you are kind enough to entertain for me, are in unison with those of the country—if, in addition to the justice done me by my friends, I may, as he has assured me, rely upon a candid construction, even from political opponents.

“But, gentlemen, the secret of such a result does not lie deep. It

consists only in an honest and undeviating pursuit of what one conscientiously believes to be one's public duty—a pursuit which steadily continued, will, however detached and separate parts of a man's conduct may be viewed under the influence of partialities or prejudices, obtain for it, when considered as a whole, the approbation of all honest and honourable minds. Any man may occasionally be mistaken as to the means most conducive to the end which he has in view; but if the end be just and praiseworthy, it is by that that he will be ultimately judged, either by his contemporaries or by posterity.

"Gentlemen, the end which I confess I have always had in view, and which appears to me the legitimate object of pursuit to a British statesman, I can describe in one word. The language of modern philosophy is widely and diffusely benevolent; it professes the perfection of our species, and the amelioration of the lot of all mankind. Gentlemen, I hope that my heart beats as high for the general interest of humanity—I hope that I have as friendly a disposition towards other nations of the earth, as any one who vaunts his philanthropy most highly; but I am contented to confess, that, in the conduct of political affairs, the grand object of my contemplation is the interest of England.

"Not, gentlemen, that the interest of England is an interest which stands isolated and alone. The situation, which she holds, forbids an exclusive selfishness; her prosperity must contribute to the prosperity of other nations, and her stability to the safety of the world. But, intimately connected as we are with the system of Europe, it does

not follow that we are therefore called upon to mix ourselves on every occasion with a restless and meddling activity, in the concerns of the nations which surround us. It is upon a just balance of conflicting duties, and of rival but sometimes incompatible advantages, that a government must judge when to put forth its strength, and when to husband it for occasions yet to come.

"Our ultimate object must be the peace of the world. That object may sometimes be best attained by prompt exertions—sometimes by abstinence from interposition in contests which we cannot prevent. It is upon these principles that, as has been most truly observed by my worthy friend, it did not appear to the government of this country to be necessary, that Great Britain should mingle in the recent contest between France and Spain.

"Your worthy Recorder has accurately classed the persons, who would have driven us into that contest. There were undoubtedly among them those who desired to plunge this country into the difficulties of war, partly from the hope that those difficulties would overwhelm the administration; but it would be most unjust not to admit that there were others who were actuated by nobler principles and more generous feelings, who would have rushed forward at once from the sense of indignation at aggression, and who deemed that no act of injustice could be perpetrated from one end of the universe to the other, but that the sword of Great Britain should leap from its scabbard to avenge it. But as it is the province of law to control the excess even of laudable passions and propensi-

ties in individuals, so it is the duty of government to restrain within due bounds the ebullition of national sentiment, and to regulate the course and direction of impulses which it cannot blame. Is there any one among the latter class of persons described by my hon. friend (for to the former I have nothing to say), who continues to doubt whether the government did wisely in declining to obey the precipitate enthusiasm which prevailed at the commencement of the contest in Spain? Is there any body who does not now think, that it was the office of the government to examine more closely all the various bearings of so complicated a question, to consider whether they were called upon to assist a united nation, or to plunge themselves into the internal feuds by which that nation was divided—to aid in repelling a foreign invader, or to take part in a civil war? Is there any man that does not now see, what would have been the extent of burthens that would have been cast upon this country? Is there any one who does not acknowledge, that under such circumstances the enterprise would have been one to be characterized only by a term borrowed from that part of the Spanish literature with which we are most familiar—*Quixotic*—an enterprise romantic in its origin, and thankless in the end?

“But while we thus control even our feelings by our duty, let it not be said, that we cultivate peace, either because we fear, or because we are unprepared for war; on the contrary, if eight months ago the government did not hesitate to proclaim that the

country was prepared for war, if war should unfortunately be necessary, every month of peace that has since passed has but made us so much the more capable of exertion. The resources created by peace are means of war. In cherishing those resources, we but accumulate those means. Our present repose is no more a proof of inability to act, than the state of inertness and inactivity in which I have seen those mighty masses that float in the waters above your town, is a proof they are devoid of strength, and incapable of being fitted for action. You well know, gentlemen, how soon one of those stupendous masses now reposing on their shadows in perfect stillness—how soon upon any call of patriotism, or of necessity, it would assume the likeness of an animated thing—instinct with life and motion—how soon it would ruffle, as it were, its swelling plumage—how quickly it would put forth all its beauty and its bravery—collect its scattered elements of strength, and awaken its dormant thunder. Such as is one of these magnificent machines when springing from inaction into a display of its might—such is England herself, while apparently passive and motionless she silently concentrates the power to be put forth on an adequate occasion. But God forbid that that occasion should arise. After a war sustained for nearly a quarter of a century—sometimes single-handed, and with all Europe arranged at times against her or at her side, England needs a period of tranquillity, and may enjoy it without fear of misconstruction. Long may we be enabled, gentlemen, to improve the blessings of our

present situation, to cultivate the arts of peace, to give to commerce, now reviving, greater extension and new spheres of employment, and to confirm the prosperity now generally diffused throughout this island. Of the blessing of peace, gentlemen, I trust that this borough, with which I have now the honour and happiness of being associated, will receive an ample share. I trust the time is not far distant, when that noble structure, of which, as I learn from your Recorder, the box with which you have honoured me, through his hands, formed a part, that gigantic barrier against the fury of the waves that roll into your harbour, will protect a commercial marine not less considerable in its kind than the warlike marine of which your port has been long so distinguished an asylum, when the town of Plymouth will participate in the commercial prosperity as largely as it has hitherto done in the naval glories of England."

Mr. Canning sat down amidst bursts of cheering, which lasted for several minutes. After the applause subsided, the meeting dispersed. The populace, who had collected outside Guild-hall in great numbers, most enthusiastically cheered the right hon. gentleman, both as he entered and retired from the hall. In addition to the right hon. the earl of Morley, Mr. Canning was accompanied from Saltram by Mrs. and Miss Canning, lord and lady Granville, lord Howard, lord George Bentinck, Mr. Stuart Wortley, and several other persons of distinction.

FRENCH ADVOCATES.—A curious instance of the vehemence of the French advocates is recorded in the report of a late trial. The

counsel for Madame Bourrier accused of the murder of her husband, in the course of the first quarter of an hour, worked himself into such a heat, that he was forced to stop; and the proceedings were suspended, while he went out to take a walk on the terrace of the court-house, accompanied, says the paper, by his wife and daughter.

30. FRANKFORT.—The police of Munich has seized Dr. Tschimmer's pamphlet, "The Return of Catholic Christians in the Grand Duchy of Baden to Evangelical Christianity," because it contains observations derogatory to the dogmas and regulations of the Catholic church. A new sect has appeared in the Swiss valleys of Grindelwald, &c., to the followers of which, if what is related of them be true, it would be doing too much honour to call them religious visionaries. As they would not listen to any expostulation, the magistrates have sent them to a mad-house.

DECEMBER.

CHINESE ADVERTISEMENT.

The following is an advertisement, extracted from a periodical paper published in Canton:—"I, Acheu Tea Chincheu, a lineal descendant of Coup Boi Roche Chincheu, the celebrated sculptor and carver in wood, who, through his unremitting studies to promote rational religious worship, by the classical touches of his knife and chisel, has been honoured by emperors, kings, and rajahs of the east, and supplied them with superior idols for public and domestic worship, now humbly offer my services in the same theological line, having travelled from hence at a considerable expense,

to perfect myself in anatomy, and in copying the most graceful attitudes of the human figure, under those able masters Nollekens and Bacon. Acheu Tea Chincheu is now in possession of casts of the most approved models and Elgin marbles; he is ready to execute to order, idols from twelve feet high, well proportioned, down to the size of a marmoset monkey, or the most hideous monster that can be conceived to inspire awe or reverence for religion. My charges are moderate: for an ourang outang, three feet high, 700 dollars; ditto rampant, 800; a sphinx, 400; a bull, with hump and horns, 650; a buffalo, 800; a dog, 200; ditto couchant, 150; and an ass, in a braying attitude, 850. The most durable materials will be used. Of statuary granite, brass, and copper, I have provided sufficient to complete orders to any extent. Perishable wood shall never disgrace a deity made by my hands. Posterity may see the objects of their father's devotions unsullied by the inclemencies of the seasons, the embraces of pious pilgrims, or their tears on the solemn prostrations before them. Small idols for domestic worship, or made into portable compass for pilgrims; the price will be proportionate to the size and weight. Any order, post paid, accompanied by a drawing and description of the idol, will be promptly attended to, provided that one half of the expense be first paid, and the remainder secured by any respectable house in Canton."

DISCOVERY OF A ROMAN TOWN, &c.—(From the *Caledonian Mercury*.)—In the parish of Strathmiglo, Fifeshire, there were lately dug up, within four feet of the surface, six bronze vessels of dif-

ferent capacities, from 1½ mutchkin Scots, to 10 pints Scots, or 20 gallons English, unquestionably of Roman antiquity. These proved to be only a prelude to still greater discoveries recently made. A Roman town, the *Urbs Orea* of Tacitus and Ptolemy, has been discovered at a short distance, consisting of about 30 houses, in three rows, whose foundations are yet distinctly visible, with the fragments of three or four different specimens of urns, found about these ancient ruins. About a mile west, about 40 bronze Roman military weapons of different kinds have been found all lying together. A little to the north, a Roman urn, and two Roman coins, have been recently picked up, one of them of the emperor Domitian, in excellent preservation. The most remarkable thing about the new discovered town Orea, is a stupendous triangular table, cut out of the freestone rock, upon a pedestal and pillar, and standing, with little alteration, as the Romans had left it.

15. CHELMSFORD.—One Pallett was executed for the murder of a Mr. Mumford. The following is the voluntary confession, which he made to his attendants, on the eve of his execution:—

"I had been drinking with one Kidman at the Coach and Horses, Quendon, all the afternoon, and was somewhat inflamed with liquor. From this place we both started with the intent of going to Newport to get sand. I was riding on Kidman's donkey, and he was beating it with his oyster measure. When we came to opposite Quendon Want-lane, we observed some one go down. Kidman went forward to see who it was, and on his return said, "It is Jem Mumford." Kid-

man then lent me his knife to cut a stick, and I said, "D—n him he shall have it." I got off the donkey, and followed Mumford down the lane. Kidman left me, and proceeded through the turnpike. I overtook Mr. Mumford upon a hill, without his perceiving me, and struck him a blow on the head; but he did not fall from the first blow: I then struck him again, and he fell. When down, I repeated the blows with the stick, until he was incapable of resistance. Having so done, I felt in his pockets, and took out the knife, which betrayed me, and put it into my own pocket. Mr. Mumford had his great coat upon his arm, which I took, and also several small things which were in his pocket; what they were I do not recollect: these I carried into the turnip field adjoining. I then sat down upon a piece of wheat, and stuck the stick in the ground by my side. I began to reflect; for it was not my intention, at first, to have committed murder, but only to beat him severely; and I placed my two hands upon my face, saying to myself "Good God! what have I been doing?" About this time, I heard the trampling of a horse; he stopped at the spot where I left Mr. Mumford, and shortly after I heard the horse return. I then returned to the body, forgetting that I had put the knife in my pocket; I kneeled down upon one knee, raised Mr. Mumford, and set him upon the other, and rested his chin upon my left shoulder, when the blood poured down my neck in torrents, and made the collar of my shirt in the state it was when the persons came up. I next took the body on my back, and proceeded on my way to Widdington, under the impres-

sion, that I should be able to convince the family that I found him, and was performing a friendly office. In my way, I was met by four men, and soon after a cart came. When I came to the public-house, I placed the body on a chair, but it fell, and I endeavoured to place it there again. Mrs. Whicken, the landlady of the public-house, found a mark upon Mr. Mumford's shirt, which satisfied those present it was Jem Mumford. I then left the room to wash the blood from my face, which I did as well as I could, and afterwards returned to the tap-room, where, shortly after, I was taken into custody."

17. COURT OF KING'S BENCH.—*Savory v. Price*.—This was an action by Mr. Savory, chymist, in Bond-street, to recover damages for the infringement of his patent for the manufacture of Seidlitz Powders, against Messrs. Price and Son, chymists, of Leadenhall-street.

The patent and specification were put in evidence. The latter comprised three recipes of much apparent complexity, and applicable to very large quantities of the different ingredients.

Mr. Thomas Gregory Briggs, was then examined.—He was clerk to the plaintiff and his partners, Messrs. Moore and Davidson, by whom the Seidlitz Powders were manufactured and sold at 4s. 6d. a box, on which there was a stamp duty of 6d. On April 13th, in last year, he went to the shop of the defendants, and inquired for a box of Patent Seidlitz Powders, which he received from Mr. Price, jun., and for which he paid 4s. 6d. The box was marked "Patent Seidlitz Powders, sold by Price and Co."

He went again on Wednesday, the 17th of April, when he asked for another box of the Patent Seidlitz Powders, and received a box, apparently the same as before, except that the word "improved" was substituted for the word "patent." He paid 4s. 6d. for it, and brought it away. On the following he went again, and observed that day the last box was not the same with that which he had before, because of the different endorsement; Mr. Price said they were exactly the same. He gave the boxes to Mr. Faraday, of the Royal Institution to analyze, and received them back from him.

Mr. Faraday, chymical assistant to the Royal Institution, said he analyzed the two boxes of Seidlitz Powders given to him by the witness Briggs. They were both as much alike as such preparations could be. He also analysed a box given to him by Mr. Savory, and found it to be the same as the defendant's. He had examined the specification, and found, that it would enable a practical chymist to produce these powders, and that the powders corresponded with the description.

On cross-examination, Mr. Faraday said, he had not analyzed the Seidlitz waters, nor knew any one who had; one great authority said, they contained muriate of magnesia, the other held the contrary. All the authorities agreed, that they contained sulphate of magnesia, which is called Epsom salts. There was no sulphate of lime in the specification; there was in the waters. With the exception of soda, there was no ingredient in the powders which was contained in the waters; how far the medicinal properties of the two might be similar, he could

not say; the chymical properties were unquestionably different. The result of the first recipe in the specification was Rochelle salts; the result of the second recipe, bicarbonate, formerly called supercarbonate of soda; the result of the third recipe, tartaric acid. Rochelle salts were known previously to the patent; tartaric acid was always produced by the means set forth; and supercarbonate of soda might have been procured at the chymist's before 1815 in a perfect form. Before that time it was not unusual to mix an acid with alkali, in order to produce an effervescent draught.

The Lord Chief Justice.—If I were to take two scruples of Rochelle salts, two scruples of tartaric acid, and two scruples of supercarbonate of soda, and mix them together, would they not produce exactly the same result as this elaborate process?

Mr. Faraday replied, they certainly would produce the same result. On looking at the specification, he added, that the same results might be produced, though the proportions of the ingredients were different; but then there would be a *residuum*, which it would be necessary to separate. The mode pointed out, of producing tartaric acid, was not the best, nor that which was now usually adopted.

The Lord Chief Justice expressed a strong opinion, that the patent could not be supported. It was the duty of every patentee to set forth in his specification, in the plainest and most intelligible language, the manner of composing the article in question. Now it appeared, that the union of three common ingredients, to be obtained by any man in any chymist's shop,

would produce these powders; why, then, was there all this elaborate mystery?

Mr. Searlett begged leave, before the cause was decided, to ask a few questions of Dr. Powell. That physician was accordingly called, and stated, that in 1809 he translated the London Pharmacopœia, and then tartaric acid had no place there by that name. Before 1815, bicarbonate of soda and Rochelle salts were commonly sold. If you took two scruples of supercarbonate of soda, two scruples of Rochelle salts, and two scruples of tartaric acid, and dissolved them in half a pint of spring water, they would produce the same result as the Seidlitz Powders.

The Lord Chief Justice.—Then I am clearly of opinion, that the plaintiff must be nonsuited. He was bound to set forth the plainest and simplest mode of manufacturing his invention; he has not done so; and he cannot sustain an exclusive right to sell it.

The plaintiff was accordingly nonsuited.

19. ADMIRALTY SESSIONS.—Aaron Smith was arraigned on two indictments for piracy.

The first charged him with having, on the 7th of August, 1822, seven leagues off the island of Cuba, in the West-Indies, feloniously and privately boarded a certain brig called the *Victoria*, assaulted several of the crew, put them in fear of their lives, and also, with having feloniously taken possession of and stolen the said brig and cargo.

The second indictment charged him with having, on the same day, in company with several persons unknown, feloniously and piratically boarded and taken

possession of the brig *Industry*. To each of these the prisoner pleaded "Not guilty."

Edward Sadler, examined by the Attorney-general.—I sailed last year as chief mate of the *Victoria*. We set out on our return voyage on the 27th of July: on the 7th of August, we were off the island of Cuba. In the morning, about nine, we observed a schooner under the land. There was another brig in company with us, but she was nearer the shore. About 11 o'clock, we saw the schooner board and take possession of her. She afterwards made sail towards us, and fired a gun. We hoisted an English ensign. She fired a second gun, and then we hove to. A boat from the schooner, with four men on board, came alongside and boarded us. The men were armed with long knives and pistols, and some had swords. The prisoner had command of the boat, he was sitting in her; the others were pulling. He was much disguised; his face was blacked as if with gunpowder. I knew his voice, having been acquainted with him, when he was chief mate of the *Latona*. He inquired for the captain, and first and second mate. The captain, myself, and second mate, were on deck. He ordered us into the boat, and to go on board the schooner. The captain asked, what character the vessel was, and the prisoner said, "Go on board, and you'll soon see." He also ordered the captain to carry the ship's papers with him. He then ordered three men of the *Victoria* to go in his boat and row to the schooner, and directed his own men and the rest of our crew to make sail with our brig. He fired a musket amongst our

crew, to enforce his commands. When he first boarded us, he drew his cutlass. The schooner was at this time close alongside of us. We went on board the schooner, and was ordered before the person who had the command of it. He was on the quarter deck. The schooner had North American colours flying all the time. She was armed with one long gun, a mid-ship, on a swivel, and three or four others aft. Her crew consisted of 35 or 40 men. It was about one in the afternoon, when we got on board. I saw the prisoner come on board from the Victoria in the evening, with my boat-cloak on him. He walked about in it, and said it fitted him exactly. He then took a watch of mine out of his pocket, gave it to the captain of the schooner, and said, that there were more on board, but he brought only that one. He gave it in charge, along with some other property, to a person named Antonio, a Spaniard, one of the schooner's crew. Prisoner then ordered us to go below, and I went along with our captain and some more of the crew. A guard was placed over the hatches. I did not see any more of our crew till morning. About midnight, the captain of the schooner came to the fore hatchway, and ordered one of the "prisoners" to come up. In the morning, I saw the prisoner on the main deck. I did not then see the captain, whom I saw the night before. The crew (of the schooner) seemed to hold a council of war amongst themselves, after which I saw one of them take a cutlass by the point, and deliver it to the prisoner. After this the prisoner gave orders, and appeared to act as captain.

William Septimus Hearne, the commander of the Victoria, corroborated the account given by the last witness, and

George Lewis, a seaman, deposed in substance to the same facts.

The prisoner then proceeded to read his defence, which was to this effect:—He was on his return home from Jamaica to England, when he was forcibly taken from the brig Zephyr by the captain of the pirate, because he was skilled in seamanship, and might be useful to him in writing. When on board, he was threatened with death in every shape. Swords were held over him, and pistols presented at him, whenever he showed the least disinclination to do any thing which the pirates ordered. On one occasion, when a strange sail hove in sight of the schooner, he was brought on deck and tied to the mast. Several cartridges of powder were then brought and put about his feet. He was told he should be blown to pieces, if he for a moment hesitated to take an active part in the proceedings of the crew. They then laid a train to the powder, and set fire to it, by which both prisoner's legs were dreadfully scorched. He had had an example before him of the little mercy which the pirates were inclined to show those, upon whose services they thought they could not depend. One man, who was thus circumstanced, he saw killed before his face. He was dreadfully wounded, then stripped naked, exposed to the sun, the mosquitos, and sand flies, and in that state left to perish. He begged of the jury to consider, that he himself had no interest in joining the pirate's crew. He never shared any of their spoil. All the time he was with them, he

was endeavouring to make his escape, but without success, until one night, when the captain was ill of a fever, he got away in his shirt, and without any part of the property, in which, had he remained, he would have been entitled to a share. With respect to firing the musket among the crew of the *Victoria* (the prisoner went on to read), I did not fire it. It was fired by one of the Spaniards, who went on board with me. I saw the Spaniards were irritated with the crew, and that they would in all probability have put some of them to death. I therefore said to them, leave him (the man at the helm, who, it was thought, was not steering properly), leave him to me, and I shall punish him. I then struck at him with the flat of the cutlass, and if I cut him, it was what I did not intend; but I knew, that if I did not appear to treat him severely, the Spaniards, who accompanied me, would have taken it in hand. It was from the same motive, that I fired the pistols. My object was, to let the Spaniards see that I was severe, and also to frighten the crew, that they might do what was ordered without exposing themselves to greater danger from the pirates. If my intention had been cruel, I might have blown out the brains of the men with the same ease; but I had no such intention. As to my face being black, it is true it was, but it was not done with a view to disguise myself. I had been employed that day in making up cartridges, which I was forced to do in the small magazine. The heat of the place was very great, and I perspired much, and frequently put my hand to my face to wipe off the perspiration. It was from this cause

alone, that my face appeared black."

The prisoner here concluded, and his counsel called the witnesses for the defence.

John Webster.—I was on board the *Zephyr* in the year 1822, when she was boarded by a schooner privateer, about the month of May or June. Prisoner was taken from on board with captain Lumden and captain Campyre, a passenger.

Cross-examined. — Captains Lumden and Campyre came on board that night from the pirate. The *Zephyr* lay at anchor all that night alongside the schooner. Next day she was allowed to proceed on her voyage.

Thomas Merrick. — I was on board the *Zephyr*, when she sailed from Jamaica. Prisoner was on board, till he, captain Lumden, captain Campyre, and four others, were taken out by the pirates. He was taken about four o'clock on the Saturday afternoon, and remained in the pirate vessel till Sunday afternoon. He came back again on that day. He was again taken out on the Sunday by the pirate. I heard the captain of the pirate tell prisoner, that he must go with him; that he wanted him to write for him, and also guide the ship. The captain said also, that I and Cook should go, but prisoner interfered, and said, that there were seven children on board, and that I had to take care of them; I was allowed to remain.

By Judge Best.—You say, the prisoner asked that you should be left. Did he ask to be left himself?

The witness answered, he did not that I heard.

Mr. Boast, a surgeon, proved, that prisoner's legs appeared as if at one time much injured by an explosion of gunpowder.

Sophia Knight and the brother of the prisoner proved, that they expected him in England last year, and that he would marry and give up the sea. Prisoner had money in the funds.

A great number of respectable witnesses gave the prisoner a most excellent character for probity and humanity. Some of them had known him from his infancy.

John M'Kinlay.—I was steward of the brig *Industry*, when she was captured by the pirate schooner. Prisoner was one of the party which came on board. There were five or six in the party. I did not see the prisoner give any command or order. He appeared to be acting under the others:—that was my impression. I saw the captain of the pirate, when we went alongside. Our captain (Cooke) went on board, and we all followed. The captain of the pirate used our captain in a very harsh manner. He took his cutlass out, and threatened to kill him, and it was through the intercession of the prisoner, that he did not put his threat into execution. From the whole of what I saw, the prisoner appeared to me to be under compulsion.

Captain Cooke was called to contradict the evidence of M'Kinlay. He swore, that Smith appeared to command; and he did not interfere, when the pirate captain threatened to shoot witness. Indeed, he believed he dared not, the captain was so ferocious. Witness did not sup with the pirate or crew.

The case being now closed on both sides, the prisoner having asked leave to say a few words to the jury, proceeded in nearly these words:—“Gentlemen, what makes many of the witnesses think

that I was an active agent against them, was, that, as I was the only person on board the pirate vessel, except the captain, who could speak English, I was almost necessarily put forward on an occasion when the parties they had captured spoke no other language. I declare, however, that I never acted willingly against my countrymen. I bore as much as I could bear, in order to avoid the task assigned me. I was stripped, tied to the mast, cut with a sword, shot at; and my clothes were burnt by gunpowder, and I endured it all rather than act against my country; but I had not strength to endure a repetition of this savage treatment; and at last my fortitude gave way. I beg, gentlemen, you will consider the situation in which I was placed. On the one hand were my countrymen, looking to me for protection, and blaming me for aiding foreigners in acting against them; on the other, the foreigners were accusing me of being favourable to my countrymen, and threatening me in consequence. I was thus, gentlemen, obliged to assume an appearance of harshness to save myself and others from that which must have followed, had I appeared to favour those whom I really wished to protect. I beg, gentlemen, you will also consider, what inducement could I have to join the pirates against my country.—I had property in the ship, from which they took me. I had property in the country, to which I was going, and from which they detained me. In joining the pirates I must have lost all; but I must have lost more than property; in being deprived of my country, I lost what was dearer to me there than life itself; I was coming home to

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marry an amiable young woman, with whom I had for some time been acquainted. In that loss I should have lost what was much dearer to me than existence. Whatever be my fate, I will bear it patiently, fully convinced that God, who knows my innocence, will hereafter reward me."

Mr. Baron Garrow having summed up the evidence, the jury, without hesitation, returned a verdict of Not Guilty.

The King's Advocate intimated, that it was not intended to offer any evidence on the second indictment. The prisoner was then given in charge on the second, and no evidence being offered, a verdict of Not Guilty was recorded.

29. MILITARY TRIAL FOR MURDER.—**PARIS**—A Court-martial assembled for the trial of Voltigeur Simon for the murder of M. Honein, on the day on which the Duke of Angoulême entered Paris.

After the preliminary documents had been read, the president ordered the accused to be brought in.

President.—Simon, you are accused of murdering Honein; you, being a sentinel on the terrace of the Tuileries, on the side of the river, fired a musket-shot at him. What have you to say in your defence?

Prisoner.—Towards one o'clock in the afternoon, two individuals scaled the wall of the terrace. I arrested them, and they were conducted to the watch-house.

Some minutes afterwards, two other persons also scaled the wall. I arrested one, and put him in my watch-box; but seeing others getting up, I was obliged to let him go and run towards the wall. I pushed down one who had

reached the top, he fell, and, in falling, he carried Honein along with him, who was getting up close to him. Honein then undertook the defence of the one I had pushed down; he called me—, said that he would — me; that I was a conscript and a Savoyard. The mob reproach me; they said, "Throw him over, throw him to us." As Honein was come out of the crowd, and was near me, I spoke to him and told him to go away; but he continued to insult me; and I then told him, that my musket was loaded, and showed it him by putting my ramrod in my musket, yet he then redoubled his insults, he even excited the mob to act against me; I put my musket to my shoulder, and threatened to fire; he then said to me, "You do not dare; I will — in your musket." The people and he uttered loud cries against me; those who had mounted the wall pressed close to me, and endeavoured to catch hold of me. After having warned Honein three times, and having presented my musket several times without firing, I thought it was my duty to fire in my own defence. After firing, I was obliged to place my back against the watch-box, and present my bayonet to the mob; but I then reflected that they might come and attack me on the side, and I retreated a few paces, presenting my bayonet constantly to the mob, in order to die at my post, as it is the duty of every Frenchman.

President.—Whatever might be the provocations you received, you cannot be ignorant that they did not entitle you to fire.

Prisoner.—I thought I was doing my duty for the good of the service.

What induced you to fire—your

own anger, or to save yourself?— I found myself attacked on every side; I fired for my own safety.

What was then passing on the terrace?—The persons on the terrace came close upon me, and tried to throw me down.

Why did you not try to give notice to the guard?—I cried, seven or eight times, "*Aux Armes*," but no one came to support me. I think they could not have heard me.

M. Bedoch, licentiate in law, stated, that wishing to scale the wall of the terrace to see the prince, he was rudely pushed back by the sentinel, who ran towards him, and threw him upon the pavement. Irritated by this violence, the crowd called the sentinel a brute and a scoundrel (*butor*.) Then the sentinel levelled his piece, and, some moments after, he heard the report. He knew nothing of the circumstances which preceded the murder.

M. Jaen was at the distance of six paces from the victim; heard Honein tell the sentinel he was a brute, and that it was not his countersign.

M. Leroux, compositor, said, that, at the moment when the sentinel threw M. Bedoch on the pavement, the crowd cried out against him, and insulted him. The sentinel then levelled his piece, after having loaded it, shouldered it again, and continued to march about; he came back in an instant after, levelled his piece again, and fired at Honein, who fell close to the witness. Some drops of the victim's blood fell on Leroux's boots; it was against witness, that the sentinel levelled his piece the first time.

The President.—What did Honein say before the sentinel fired?

—He called him a brute, and told him it was not his countersign.

Did he say nothing more?— This was all I heard, and I was close to the young man.

The witness added, that Honein fell at a distance of eight feet from the wall, and that he made no attempt to scale the wall.

M. Delhomme, corporal of the national guard, heard none of the expressions addressed by Honein to the sentinel. He admitted that such was his state of excitement, that, if his musket had been loaded, he would have discharged it at the sentinel. The witness added the following circumstances:—A physician, who happened to be on the spot, approached the body of the victim, and wished to feel his heart, to ascertain whether there were still any signs of life. Witness told him, it was of no use, that, unfortunately, the case was hopeless. The physician, however, begged him to remove the hair which was still dripping with blood, in order to expose the wound. At this moment several soldiers of the royal guard who were on the wall, leaned forward towards the body, and one of them said to the corporal of the national guard, "corporal, he is asleep; give him a fillip on the nose, and he will awake." The physician indignant at this conduct, raised his head, and exclaimed, "Blackguards!" (*canaille*).

The advocate of Simon wished the physician himself to be examined as to the expressions attributed to the royal guard.

The President thought this unnecessary. It was not credible, he observed, that such an expression had been used.

The Sieur Roissan corroborated the declaration of the witness

Leroux as to the fact that nobody was near the sentinel at the time he fired.

M. Grondart, merchant, heard Honein call the sentinel a rascally conscript. A man who was standing by said, "You ought not to insult a sentinel at his post; I would fire at you, if I had my piece loaded." Then the sentinel said, "My piece is loaded, and if these blackguards are not quiet, I will bring them to reason." The insults continued, the sentinel levelled his piece; then some other person, not Honein, said, "You will not dare to fire." The sentinel continued levelling his piece; the crowd began to laugh, upon which he fired, and Honein fell dead. The witness saw no crowd on the terrace round the sentinel, and did not hear any one propose to throw him over.

M. Daublin heard Honein say to the sentinel, at the moment he levelled his piece, "Do you think I am afraid?" Then the sentinel fired. There were very few persons on the top of the terrace.

The President.—It would seem, however, that the altercation had continued a long time?—No, the whole transaction took place in a very short time. Was not the sentinel surrounded and threatened by the crowd?—No. [The witness declared that the sentinel was much excited, and he attributed the act to a sudden fit of passion.]

The President to the accused.—What was your intention in levelling your piece so frequently?—Every time I levelled it, I told the crowd to retire and not to insult me.

The captain Reporter.—The Court will not fail to appreciate this intention.

M. de Frey, herald, declared

that he heard the deceased call the sentinel a cursed beast (*sacre cochon*), thief, robber, &c., and defy him, when he levelled his piece, saying, "You will not dare to do it." The witness was close to him; did not see Honein scale the wall.

Leroux was called back, in order to ascertain whether Honein had a woman with him, and whether he had an umbrella. He believed that Honein had a woman with him, but no umbrella.

The Court, after three quarters of an hour's deliberation, declared Simon Not Guilty, by a majority of six votes to one.

POLITICAL PRECAUTION.—At the end of Don Juan there is an air sung by the Don, in embracing one of his fair-ones. In this air occur the words, "*Viva la Libertà*," not, of course, in the sense of politics, but in the sense of gallantry. It was thought dangerous, however, by the dramatic censors of Paris, to allow a *viva* to be raised even to this kind of liberty, though in an Italian song; and the actor was ordered to substitute the words "*Viva la Hilarità*," against all the rules of sense and metre.

INCREASING TRADE OF LIVERPOOL.—From the 1st of January to the 31st of December, 1823, inclusive, 9,507 vessels have reported inwards at the custom-house of Liverpool—namely.

From foreign ports and Ireland				5,927
Coasters				3,580
				9,507
Years.	Vessels.	Tons.	Average.	
In 1823..	9,507..	1,120,114..	117	7,795
				9,571
				3,310
1822..	8,916..	1,010,819	113	8,916
Increase..	591..	109,295		

The number of vessels and amount of tonnage reported inwards, in the year ending December 31, 1822, were greater than that of any other year since the rise of the port; yet the present year exhibits over that year an excess of nearly six hundred vessels.

31. A melancholy occurrence took place this evening, near South Mimms, by which a poor man of the name of James Grainge lost his life. For some time back, a gentleman, whose name is Patrick Connolly, had resided at a mansion called Rabley-house, which is within about a mile of Shenley-hill, and is the property of captain Nestor. In the same house was residing a lady of the name of Mrs. Elizabeth Brown, the widow of a naval officer, who had charge of captain Nestor's domestic concerns. Besides these individuals, there were a female servant and two male servants on the premises. On Wednesday afternoon, about two o'clock, three persons arrived at the mansion—a Mr. Stephens, an attorney from London; T. Watson, a sheriff's officer; and his assistant. They found easy ingress at the outer gates, and, on reaching the hall-door, knocked for admission. They were answered from within by Mrs. Brown, who, perhaps, suspecting their errand, did not open the door—she demanded their business, and they commenced by asking, if captain Nestor was at home? She answered in the negative. They then asked some other indirect questions, and finally begged to know, if Mr. Patrick Connolly was there? To this question Mrs. Brown also answered in the negative. They then stated, that they had an execution against Mr. Connolly, and peremptorily desired to be admitted. This Mrs.

Brown as peremptorily refused, and they immediately attempted to force the door, the upper part of which was composed partly of glass. To effect this purpose, they placed their feet against the bottom of the door, and, in the exertion which they made, they broke one of the panes. At this moment, Mr. Connolly, suddenly made his appearance with a pitchfork in his hand, with which he threatened to resist any further attempt that might be made to enter the premises. In defiance of his threat, the officers, on being again refused admission, renewed their attack, when Mr. Connolly pushed the fork through the broken pane, and hit one of the men. The assailants then retired for a time, and, while two kept watch, the third proceeded to a magistrate in the neighbourhood, the rev. Thomas Newcome, before whom he laid an information for the assault which had been committed upon him in the discharge of his duty, and procured a peace warrant for the apprehension of Mr. Connolly. This warrant was directed to the constables of the district; those individuals were summoned to put it in execution; and certain persons were sworn as special constables for the occasion. Among others included in this body was the brother of the parish constable, James Grainge, shoemaker, at Shenley-hill. The whole posse being assembled they proceeded in considerable force to the scene of action, which they reached about six o'clock. A second loud knocking at the door gave notice of their approach, when Mrs. Brown again made her appearance, and, as is alleged, admission was demanded in the king's name. Mrs. Brown still declined complying with this

demand. A general assault then commenced, and several panes of glass were broken in the windows, as well as in the door. This continued for some time, till at length Mr. Connolly came forward with a gun in his hand, and threatened to shoot the first person who presumed to break the door. This only tended to increase the violence, and, as the party outside considered that they were armed with sufficient authority to use every exertion in their power to make their caption good, they treated Mr. Connolly's threats with indifference, and actually began to break the panels of the door with such missiles as came to hand. At last, Mr. Connolly discharged the gun, and James Grainge being nearest the door, he lodged the contents in the upper part of his arm, near the shoulder, which was dreadfully mangled. The unhappy man fell, and a cry of "murder," burst from all quarters. A considerable pause now took place; the attack was discontinued, and the officers and their assistants drew back, fearful that further mischief might be done. The wounded man, being unable to walk, was placed in a cart and carried to the White Hart, at Shenley-hill. Information of what had occurred was then conveyed to the rev. Mr. Newcome and John M. Winter, esq., another magistrate in the neighbourhood, who consulted upon what it was expedient to do. All the constables of the surrounding villages were forthwith summoned, and fresh additions were made to the list of special constables. With this force the magistrates proceeded in person to Rabley-house, within

which all remained in perfect silence. It was now between nine and ten o'clock, and an attempt was made to force an entrance at the back of the premises, where some more windows were broken. Under the direction of the magistrates, admission was once more formally demanded, and their warrant was read in a loud voice. Mrs. Brown, for the third time, came to the door, and announced, that, if the party would show their warrant, she would admit them. This was refused, but it was read in her hearing, and finally the door was opened. The magistrates and the officers then entered, and Mrs. Brown said, she would send to call Mr. Connolly down stairs. A servant did accordingly go up stairs, and Mr. Connolly came down and surrendered himself. All the other persons in the house were then secured as being participators in the outrage—namely, Mrs. Brown, her servant woman, Hugh Moran (a servant man), and another man servant. The whole were conducted to the White Hart, at Shenley-hill, where they remained under a strict guard for the remainder of the night.

On the following morning, the rev. Mr. Newcome, Mr. Winter, and Mr. Haddow, assembled at the White Hart, to take the depositions of the different witnesses against the prisoners.

Soon after three, intelligence having reached them that Grainge had expired, they determined to commit all the parties upon the charge of the wilful murder of James Grainge, and ~~mistresses~~ were made out accordingly.

APPENDIX TO CHRONICLE.

SHERIFFS FOR THE YEAR 1823.

<i>Bedfordshire</i>	Thomas Charles Higgins, of Turvey, esq.
<i>Berkshire</i>	Henry Piper Sperling, of Park-place, esq.
<i>Buckinghamshire</i>	William S. Lowndes, of Whaddon Hall, esq.
<i>Cambridge and Huntingdon</i>	William Rayner, of Wisbeach, esq.
<i>Cheshire</i>	John White, of Sale, esq.
<i>Cumberland</i>	Edward Stanley, of Ponsonby Hall, esq.
<i>Cornwall</i>	Charles Trelawny, of Coldrinick, esq.
<i>Derbyshire</i>	Thomas Bateman, of Middleton by Youghgrave, esq.
<i>Devonshire</i>	T. Bewes, of Beaumont House, Plymouth, esq.
<i>Dorsetshire</i>	Henry Charles Sturt, of Moor Critchell, esq.
<i>Essex</i>	John Jolliffe Tuffnell, of Langleys, esq.
<i>Gloucestershire</i>	John Smith, of Stepleton, esq.
<i>Herefordshire</i>	Edmund B. Pateshall, of Allensmore, esq.
<i>Hertfordshire</i>	Robert Sutton, of Ross Way Northchurch, esq.
<i>Kent</i>	Thomas Austen, of Seven Oaks, esq.
<i>Leicestershire</i>	Sir William Walker, of Leicester, Knt.
<i>Lincolnshire</i>	Sir William Earle Welby, of Denton, bart.
<i>Monmouthshire</i>	Joseph Bailey, of Nanty Glo, esq.
<i>Norfolk</i>	Sir Edmund Knowles Lacon, of Ormesby, bart.
<i>Northamptonshire</i>	Thomas W. Hunt, of Wadenhoe, esq.
<i>Northumberland</i>	Prideaux J. Selby, of Twizell House, esq.
<i>Nottinghamshire</i>	William Mason, of East Retford, esq.
<i>Oxfordshire</i>	Daniel Stuart, of Wyckham Park, esq.
<i>Rutland</i>	Thomas Thompson, of Tinwell, esq.
<i>Shropshire</i>	John Mytton, of Halston, esq.
<i>Somersetshire</i>	John F. Pinney, of Somerton Erly, esq.
<i>Staffordshire</i>	James Hordern, of Wolverhampton, esq.
<i>County of Southampton</i>	E. Knight, jun. of Chawton Park, esq.
<i>Suffolk</i>	Hen. Usborne, of Branches Park, esq.
<i>Surrey</i>	Charles Hampden Turner, of Rook's Nest, esq.
<i>Sussex</i>	Richard Prime, of Walberton House, esq.
<i>Warwickshire</i>	Edward Willes, of Newbold Comyn, esq.
<i>Wiltshire</i>	John Fuller, of Neston Park, esq.
<i>Worcestershire</i>	John Williams, of Pitmaston, esq.
<i>Yorkshire</i>	Walter Fawkes, of Farnley, esq.

SOUTH WALES.

<i>Brecon</i>	Richard Davys, of Clancefield, esq.
<i>Cardigan</i>	G. W. Parry, of Llydñade, esq.
<i>Cardarvan</i>	J. Phillips, of Crygwan, esq.
<i>Glamorgan</i>	J. Edwards, of Rheola, esq.
<i>Pembroke</i>	O. Lewis, of Trewern, esq.
<i>Radnor</i>	J. B. Walsh, of Kevenlleece, esq.

NORTH WALES.

<i>Anglesey</i>	J. Panton, of Plasgwyn, esq.
<i>Carmarvon</i>	W. Turner, of Garreg faur, esq.
<i>Denbigh</i>	Sir D. Erskine, of Pwll y Crochon, bart.
<i>Flint</i>	P. D. Cooke, of Gwsaney, esq.
<i>Merioneth</i>	J. Wynne, of Cwmein, esq.
<i>Montgomery</i>	D. Pugh, of Llanerchydol, esq.

BIRTHS.

BIRTHS.

JANUARY.

1. In Hereford-street, the lady of Edmund Antrobus, esq. a son.
3. The hon. Mrs. Thomas Erskine, a daughter.

4. At the Priory, Ryegate, viscountess Eastnor, a daughter.

— At Newport, Isle of Wight, the lady of John Cooke, esq. a daughter.

8. At Twickenham, the lady of Wm. Jones Burdett, esq. a son.

9. The lady of the hon. W. Cust, a daughter.

11. In Portland-place, the lady of J. B. Ricketts, esq. a daughter.

— In South Audley-street, lady Frederica Stanhope, a son.

18. In Upper Bedford-place, Russell-square, the lady of William Loftus Lowndes, esq. a son.

22. At Torquay, Devonshire, the lady of sir Thos. Whelen, a son.

23. At Standish-hall, Mrs. Standish, a son and heir.

25. In Vigo-lane, the lady of Miles Morley, esq. a daughter.

27. In Berner's-street, the lady of Fras. Vincent Marius Moreau, esq. a daughter.

29. At Cochayne, Hatley, Beds; the Rt. hon. lady Anne Maria Cust, a daughter.

31. At Bath, the lady of G. T. Williams, esq. a son and heir.

FEBRUARY.

9. Mrs. Stephen Child, of Walworth a son.

10. At Pinckney-lodge, Berks, the lady of James Elmslie, esq. a son.

— In Chapel-street, Grosvenor-square, the hon. Mrs. Charles Boulton, a daughter.

— In Upper Cadogan-place, Mrs. Thomas Broadwood, a son.

— In Keppel-street, the lady of Humphry Wm. Woolrych, esq. of Croxley House, Herts, and of Lincoln's Inn, Barrister-at-law, a son.

11. In Queen-street, May-fair, the lady of Samuel Plate, esq. a daughter.

— In Stratton street, lady Jane Peel, a son.

16. In Hill-street, the lady of W. W. Roberts, M.P. a son.

19. At Witham-lodge, Suffolk, the lady of W. W. Luard, esq. a daughter.

21. In Percy-street, the lady of James Clayton, esq. a son.

22. At Atherstone-hall, viscountess Anson, a daughter.

— The lady of Robert Thomas Dimsdale, esq. a daughter.

28. In Dartmouth-street, the lady of Lancelot Hotham, esq. a daughter.

MARCH.

3. In Portland-place, at her father's, W. Williams, esq. M.P. the lady of capt. H. Lorraine Baker, R.N. C.B. a daughter.

— In Gloucester-place, the lady of M. M'Namara, esq. a son.

5. In Dover-street, the lady of W. Turner, esq. a son.

— At Camden Town, the lady of John Spurrier, esq. assistant commissary general to the forces, a daughter.

— In York-street, Portman-square, Mrs. C. Wilson, a daughter.

13. At Maresfield, Sussex, the lady of W. Day, esq. a daughter.

15. In Somerset-place, the lady of Waller Clifton, esq. a son.

16. In Upper Montague-street, Montague-square, the lady of W. H. Roberts, esq. a daughter.

19. The lady of Sandford Graham, esq. M.P. a daughter.

— In Duke-street, Westminster, the lady of Chas. Tulk, esq. M.P. a daughter.

20. In Upper Harley-street, the lady of Alexander Henry, esq. a daughter.

23. In Grafton-street, Berkeley-square, the lady of Dr. Grafton, a daughter.

31. At Langley-hall, Berkshire, the seat of Chas. Beckford Long, esq. the lady of Charles Devon, esq. a son and heir.

APRIL.

2. At Lindley-hall, Leicestershire, the lady of Edward Applewhaite, esq. a son.

3. At the house of her father, E. Greetham, esq. at East Cosham, the lady of sir Lucius Curtis, bart. her 7th son.

4. In Grosvenor-place, the countess of Euston, a son.

— At Escrick, near York, the hon. Mrs. Beelby Thompson, a son.

9. At Woodchester Park, the seat of

BIRTHS.

lord Ducie, the right hon. the countess of Denbigh, twins, a son and daughter.

10. Lady Elizabeth Belgrave, a son.

14. In Queen Ann-street, Cavendish-square, the lady of Charles Pepys, esq. a daughter.

20. In Queen Ann-street, lady de Vere Hunt, a son.

22. At Shooter's Hill, Kent, the lady of sir Thomas William Blomefield, a son.

28. In Great Cumberland-street, lady King, a daughter.

29. The lady of S. Crawley, esq. M.P. a son and heir.

MAY.

4. At his royal highness's the duke of Clarence, Bushey-park, the countess of Errol, a son and heir.

7. In Great Cumberland-place, the lady of John H. Pelly, esq. a son.

8. In Grosvenor-place, lady Tullamore, a son.

13. Mrs. captain Protheroe, of Hampton, a son.

16. In Upper Brook-street, the lady of Michael Bruce, esq. a son.

17. At Holme, Yorkshire, the hon. Mrs. Langdale, a daughter.

18. In Manchester-street, the lady of sir R. P. Jodrell, bart. a son.

22. At Merry-hill, Bushey, Herts, the lady of lieutenant. col. Charles Dance, a son.

— The lady of the hon. capt. Bridgeman, R.N. a daughter.

24. At Sloperton-cottage, Devises, the lady of Thomas Moore, esq. a son.

25. In Upper Bedford-place, the lady of Nathaniel Ellison, esq. a daughter.

— At Burton, in the county of Hants, the lady of T. D. Shute, esq. a daughter.

Lately at Ardincaple-castle, lady J. Campbell, a son.

At Colombo, in the island of Ceylon, the lady of H. Matthews, esq. his majesty's advocate fiscal, a daughter.

At Florence, the lady of lieutenant. gen. sir Geo. Walker, G.C.B. a son.

At Boulogne-sur-Mer, lady Catherine Caroline Bricknell, daughter of the earl of Portmore, a son.

At Zante, the lady of Philip James Green, esq. consul-general, for the Morea, a son.

At Albaro, near Genoa, Mrs. Leigh Hunt, a son.

At Geneva, lady Mary Stanley, a daughter.

At Lausanne, the lady of captain Cunliffe Owen, R.N. a son.

JUNE.

2. In Green-street, the lady of lieutenant. col. Dawkins, of the Coldstream guards, a son.

— At Carshalton-park, the lady of John Plummer, esq. M.P. a son.

14. In Upper Berkeley-street, the lady of Aretas Akers, esq. a daughter.

15. At his lordship's house, in Albemarle-street, lady F. Leveson Gower, twin-sons.

— At Farnham, Dorsetshire, the lady of sir S. Stuart, bart. a son and heir.

19. At Munster-house, lady Jane Lawrence Peel, a son and heir.

21. At Packington, Warwickshire, the countess of Aylesford, a son.

— At Locknaw-castle, lady Agnew, a son.

25. At Bath, the lady of major Charles de Havilland, a son.

26. At Poyntzfield-house, North Britain, the lady of major general George Gun Munro, a daughter.

27. The lady of sir Thomas Farquhar, bart. a son.

28. At Camprall-park, near Doncaster, the lady of sir Joseph Raddcliffe, bart. a daughter.

— At Torry-hill, Kent, lady Montresor, a son and heir.

29. At Painswick-house, Gloucestershire, the lady of W. H. Hyett, esq. a son.

JULY.

2. In Wimpole-street, the lady of lieutenant. col. Bouchier, a son.

6. In Cumberland-street, the lady of lieutenant. col. sir T. Noel Hill, K.C.B. Grenadier guards, a daughter.

— At his house, in Great George-street, Westminster, the lady of the hon. Edward Cust, M.P. a daughter.

11. At Kenilworth, Warwickshire, the lady of Edmond de Penrheny O'Kelly, esq. a daughter.

15. At her house, on Putney-heath, lady Colebrooke, a daughter.

— In Montague-street, Portman-square, the lady of W. J. St. Aubyn, esq. a son.

17. In New-street, Spring-gardens, the lady of J. H. Tremayne, esq. a daughter.

28. At Almington-hall, Cheshire, the

170 ANNUAL REGISTER, 1823.

BIRTHS.

lady of John Offley Crewe, esq. a daughter.

29. At Holderness-house, Park-lane, the marchioness of Londonderry, a daughter.

31. At her father's house, William Murray, esq. Bryanstone-square, the lady of major sir Henry Floyd, bart. a son.

AUGUST.

4. At Yates-court, Kent, viscountess Torrington, twins.

8. At Langham-place, the lady of Frederick Webb, esq. a son and heir.

12. At Highbury-park, Mrs. Davidson, a daughter.

13. In Euston-square, the lady of George Medley, esq. of the East-India-house, a son.

14. At Rislip, Middlesex, the lady of H. Edgell, esq. a son.

15. At Hampstead, the lady of Andrew Spottiswoode, esq. of Bedford-square, a daughter.

19. In Portland-place, the lady of Wm. Curtis, esq. a daughter.

At Edinburgh, the lady of lieutenant. general sir John Hope, a daughter.

At Brussels, the countess of Ormond and Ossory, a daughter.

At Malta, the lady of major de Bathe, of the 85th Light Infantry, a son.

26. At Basing-park, Hampshire, the lady of Richard Norris, esq. a daughter.

28. At Barham-court, the Rt. hon. lady Barham, a son.

— At Connaught-place, lady Wigram, a son.

SEPTEMBER.

1. At Bath, the lady of the hon. Charles Clifford, a daughter.

3. At Teddington, the lady of lieutenant. colonel Mercer, of the 3rd regiment of guards, a son.

— At Basset Down-house, in the county of Wilts, the lady of A. M. Storer, esq. a son and heir.

4. At Teddington, the lady of Andrew Hamilton, esq. a son and heir.

14. In Devonshire-place, the lady of W. Clay, jun. esq. a daughter.

15. In Russel-square, the lady of Dr. Darling, a daughter.

At Mount Melville, in the county of Fife, lady Catherine Whyte Melville, a son.

At Kennetty, King's county, the hon. Mrs. Maud, a son.

17. At Reehampton, Devon, the wife of sir Robert Gifford, attorney-general, a son.

19. At Ditchly-house, the countess of Normanton, a son.

22. At Oakley-house, the wife of rev. Dr. Frith, a daughter.

23. In Cumberland-street, the baroness de Rutzen, a daughter.

— At the rectory, Blackfriars, Mrs. Saunders, a daughter.

24. At Guernsey, Mrs. Carey, the wife of the deputy commissary-general, a son.

— The wife of rev. James Hitchings, of Sunning-hill, a son.

25. In Dublin, the countess of Longford, a son.

28. In Hertford-street, the lady of sir G. F. Hampson, bart. a son.

— At Taunton, the lady of major Henry North, a son.

29. The lady of John Sargeaunt, esq. of Coles-hill, Herts, a son.

OCTOBER.

1. The lady of capt. S. P. Hurd, a daughter.

2. At Midhurst, the hon. lady Stopford, a daughter.

— At Castle-house, Torrington, Devonshire, the lady of A. W. S. Deane, esq. a son.

3. At Twickenham, the lady of capt. Wilbraham, R.N. a son.

5. At Charlton, the lady of major Turner, of the royal Artillery, a daughter.

9. At the seat of the Rt. hon. lord Bagot, Blithfield, Staffordshire, lady H. Paget, a daughter.

11. At Bushey-park, the seat of their royal highnesses the duke and duchess of Clarence, the duchess of Saxe Weimar, a son.

— At the Fort, Gravesend, the lady of major gen. sir George Hoste, of the royal Engineers, a daughter.

12. In Gloucester-place, Portman-square, the lady of W. Lynch, esq. a son.

15. At Mark's-hall, Essex, the lady of W. P. Honeywood, esq. M.P. for the county of Kent, a son and heir.

17. In Park Crescent, the Rt. hon. lady Elizabeth Murray Macgregor, of Macgregor, a son.

20. At Warley-house, Essex, the lady of sir John Hawker English, a son.

At Edinburgh, lady Pringle, of Stichel, a daughter.

BIRTHS.

At Edinburgh, lady Bradford, a son.
At Paris, the Rt. hon. the countess of Airly, a son and heir.

NOVEMBER.

4. At Herne-hall, Mrs. Currey, a daughter.
6. The lady of J. Smith, esq. of Uplands, Devonshire, a son.
7. At his house, York-place, the lady of Joseph Hume, esq. M.P. a daughter.
8. At Fimlico-lodge, Mrs. Elliot, a daughter.
— At Plymouth Dock, the lady of col. J. J. Cochrane, 3rd Guards, a son.
9. The lady of capt. Mackenzie Fraser, of the 93rd regt. a son.
10. The lady of col. Woodford, of the Coldstream guards, a son.
11. At Woolley-park, the wife of lieut. col. Clements, M.P. a son.
12. At Portsmouth, the lady of major-gen. sir James Lyon, K.C.B. a daughter.
— At Jesus College, Cambridge, the lady of the rev. Dr. French, a daughter.
13. In Gloucester-place, the lady of East George Clayton, esq. a son.
— Lady Dunbar, of Boath, a son.
15. At Connaught-place, the lady of sir Charles Henry Coote, bart. M.P. a daughter.
25. At Southsea-lodge, the lady of capt. sir Alexander Gordon, K.C.B. a daughter.
— At Killerton Down, the wife of sir T. D. Ackland, bart. a son.
28. At Constable Burton, the lady of W. Wyvill, M.P. a daughter.
30. At Dun, lady Kennedy, a son.

DECEMBER.

4. At the lodgings of the principal of Brazenose College, Oxford, Mrs. Gilbert, a daughter.
— At Kenton-house, Devonshire, the hon. Mrs. Lysaght, a son.
5. In New Norfolk-street, the lady of John Currie, jun. esq. a daughter.
6. The lady of Henry Tennant, esq. a daughter.
— At Caerleon-priory, the lady of Wm. Phillips, jun. esq. a son and heir.
7. At Bishop's-court, Isle of Man, lady Sarah Murray, a daughter.
— At Hicknoll, in the county of Dorset, the lady of sir M. H. Nepens, bart. twin daughters.
8. At Normanby, Lincolnshire, lady Sheffield, a son.

12. At Aquilate-hall, Staffordshire, lady Boughy, a son.
13. At Beverley, the lady of capt. Cure, of Blake-hall, Essex, a son.
18. Lady Caroline Pennant, a daughter.
21. At Congham lodge, the lady of sir W. B. Folkes, a son.
23. At Chale-parsonage, Isle of Wight, the lady of the rev. Craven Ord, a daughter.
— At Preshaw-house, Hants, the right hon. lady Mary Long, wife of Walter Long, esq. a son.
24. At Irnham-hall, Lincolnshire, the seat of lord de Clifford, the hon. Mrs. Clifford, a son.
— At Amcott's-house, the lady of R. R. Gorton, esq. a son and heir.
29. In Mortimer-street, Cavendish-square, the lady of col. Hugh Baillie, a daughter.

MARRIAGES.

JANUARY.

1. At Speldhurst, Kent, Thos. Baker, esq. of Ditton-place, Kent, to Anne Everett, eldest daughter of William Camfield, esq. of Groombridge.
— At Gayton, Edward, eldest son of Edward Everard, esq. of Middleton House, Norfolk, to Anna Theodosia, eldest daughter of St. Andrew St. John, esq. of Gayton Hall, and grand-daughter of the hon. and rev. St. Andrew St. John, late dean of Worcester.
8. At Cherington, Warwickshire, Jas. Allan Park, esq. eldest son of the hon. Mr. Justice Park, to Mary, daughter of the late rev. W. Dickins.
14. At St. George's, Hanover-square, the hon. major gen. Fermor, only brother of the earl of Pomfret, to Miss Borough, only daughter of sir Richard Borough, bart. of Portland-place, and niece to lord viscount Lake.
— At Richmond, Henry Dymoke, esq. eldest son of the rev. the champion Dymoke, of Scrivelsby Court, Lincolnshire, to Emma, second daughter of William Pearce, esq. of Billingsford, Norfolk.
16. At Hampstead, Thos. Beckwith, esq. of Bedford-place, to Elizabeth Sophia, second daughter of the late John Spottiswoode, esq. of Spottiswoode.

MARRIAGES.

21. At St. George's, Hanover-square, by the dean of Carlisle, Lewis Lloyd, esq. of New Norfolk-street, Park-lane, to Mrs. Champion, of Grosvenor-square.

23. At Knutsford, Thomas, eldest son of Thomas Hibbert, esq. of Brittas Hall, Cheshire, and Chalfont House, Bucks, to Caroline Henrietta, eldest daughter of Charles Cholmondeley, esq. of Knutsford; and niece to lord Delamere.

24. At Ellaston, Staffordshire, John Buller Yarde Buller, esq. of Lupton-house, Devonshire, and Delhorne-hall, Staffordshire, to Elizabeth, daughter of Thomas Wilson, esq. of Wootten Park, Staffordshire, and Bank Hall, in the county of Lancaster.

25. At Wanstead, Wm. Walters, esq. of Girdlers Hall, to Harriet Matilda, youngest daughter of the late George Dettmar, esq. of Blake Hall, Wanstead.

27. At St. George's, Hanover-square, John, eldest son of John Egremont, esq. of Reedness, Yorkshire, to Harriet, relict of Frederick P. Robinson, esq.

28. At Woolwich, J. F. Breton, esq. to Elizabeth Frances, daughter of colonel Griffiths, of the Royal Artillery.

At Dublin, by his grace the archbishop of Dublin, Rich. Heywood, esq. banker, of Manchester, to Jane, second daughter of the right hon. and most rev. Wm. Magee, lord archbishop of Dublin.

FEBRUARY.

6. At St. Pancras, the rev. H. West, rector of Berwick, and vicar of Laughton, in the county of Sussex, to Louisa, daughter of the late sir Robt. Barker, bart.

— Richard, eldest son of sir Richard Phillips, to Matilda, only child of Thomas Bacon, esq. of Clains, in the county of Worcester.

— Major, sir Charles Angier, bart. of St. John's Lodge, Herts, to Catherine, Frances, eldest daughter of the rev. R. Fitzwilliam, of Halifax, rector of Richard's Castle, in the diocese of Hereford; and grand-daughter of the late bishop of St. Asaph.

8. By special license, at her ladyship's house, by the rev. Chas. Grant, vicar of West Barham, and minister of Duke-street-chapel, Westminster, Barry O'Meara, esq. to lady Leigh.

Lately, at Bramfield, Suffolk, Andrew Lawson, esq. of Aldborough Lodge,

Yorkshire, to Mary Anne Anna Maria, daughter of Thomas Sherlock Gooch, esq. M.P. for Suffolk.

12. At Bow-church, by the rev. Dr. Macleod, rector of St. Ann's Westminster, and afterwards at Grove Hall, in the presence of his excellency the Swedish ambassador, by the rev. J. P. Wahlin, chaplain to the embassy, capt. C. R. Nordenskiöld, eldest son of baron Nordenskiöld, of Foreby, in Sweden, and Masby, in Finland, to Margaret, youngest daughter of the late rev. Dr. Lindsay of Grove Hall.

20. G. W. Park, esq. to Maria, only surviving daughter of the rev. Dr. Coppard, rector of Gravely, Cambridgeshire.

Lately at Castle-hill, the seat of earl Fortescue, major Hamlyn Williams, eldest son of sir Jas. Hamlyn Williams, bart. of Clovelly-court, Devonshire, and of Edwinstord, Carmarthenshire, to lady Mary Fortescue.

24. Lieut.-col. Meyrick, of the 3rd guards, to the hon. lady Laura Vane, third daughter of the right hon. the earl of Darlington.

MARCH.

3. John Lechmere, esq. R.N. second son of the late vice-admiral Lechmere, of Steeple Aston, to Anna Maria, youngest daughter of the late hon. Andrew Foley, M.P. of Newport-house, Herefordshire, and of Haseley-court, Oxfordshire.

5. At Mary-le-bone-church, H. R. Reynolds, jun. esq. to Mary Anne, fourth daughter of the late sir Edward Knatchbull, bart. and eldest daughter of the dowager lady Knatchbull, of Wimpole-street.

— At Pershore, the rev. John Hurst, son of R. Hurst, esq. M.P. of Horsham-park, Sussex, to Catherine, second daughter of the rev. the chancellor Probyn, of Pershore, Worcestershire.

— At St. George's, Hanover-square, Phillipe Louis Joseph Baron de Dion, to Eliza, second daughter of W. Bicknell, esq. of Clarges-street.

12. At Walcot-church, Bath, R. A. T. Steward, esq. of Nottingham, in the county of Dorset, lieut.-colonel of the Dorset Militia, to Louisa Henrietta, only daughter of Edward Morgan, esq. of Golden Grove, in the county of Flint.

17. At St. James's-church, by the very rev. the dean of Rochester, George

MARRIAGES.

Carr Glyn, esq. son of sir Richard Carr Glyn, bart. of Gaunts, Dorset, to Mari-
anne, daughter of Pascoe Grenfell, M.P.
of Taploe-house, Bucks.

19. At Mary-le-bone-church, Henry
Lucas, M. D. to Miss Howel.

20. At Reading, Frederick Bailey,
M. D. to Elizabeth, second daughter of
the late J. Rainier, esq.

22. By the bishop of Exeter, Henry
Robert Ferguson, esq. captain of the
9th Lancers, to Miss Davie, daughter
of the late, and sister to the present sir
John Davie, bart.

Lately, his grace the duke of Norfolk,
to lady Mary Ann Gage, relict of sir
Thomas Gage, bart.

— His grace the duke of St. Alban's
to Mrs. Cuthbert.

31. At Bathwick-church, Bath, sir
William Hort, bart. of Hortland, in the
county of Kildare, to Louisa Georgiana,
youngest daughter of the late sir John
Caldwell, bart. of Castle Caldwell, in
the county of Fermanagh, Ireland.

— At Cheltenham, major Creagh, of
the 86th regiment, to Eliza, only
daughter of the late right hon. judge
Osborne, of Dublin.

— Sir James Dalrymple Hay, of
Park-place, Wigtonshire, to Ann, eldest
daughter, of George Hathorn, esq. of
Brunswick-square.

— By special license, Charles Cal-
vert, esq. M. P. to Jane, youngest
daughter of sir William Rowley, bart.
M. P. for Suffolk.

— At St. Pancras New Church, colo-
nel Adams, of Great Ormond-street,
to Gabrielle, third daughter of John
White, esq. late of Selborne, Hants.

APRIL.

2. At St. George's, Hanover-square,
lord Petre, to Emma Agnes, second
daughter of Henry Howard, esq. of
Lower Grosvenor-street, and of Corby
Castle, in the county of Cumberland.

— At St. George's, Hanover-square,
by the hon. and right rev. the lord
bishop of Kildare, captain James Lind-
say, of the Grenadier Guards, eldest son
of the hon. Robert Lindsay, of Balcarras,
to Anne, eldest daughter of sir Coutts
Trotter, bart. of Grosvenor-square.

3. At All Saints', Cambridge, the rev.
Edward Miller, B. A. of Emmanuel
College, to Emily, fifth daughter of the
late Dr. Mansel, bishop of Bristol, and
master of Trinity College, Cambridge.

8. William Bryan Cooke, esq. to Isa-
bella Cecilia Viviana, daughter of the
late sir William Middleton, bart. of
Belray Castle, in the county of North-
umberland.

— At Lanrug, Carnarvonshire, Row-
land Hunt, esq. of Borenton Park, in the
county of Shropshire, to Mary, eldest
daughter of Thomas Lloyd, esq. of the
Stone House, Shrewsbury.

10. At Cheltenham, George Nangle,
esq. son of Walter Nangle, esq. of Kil-
dalkey, in the county of Meath, to Lucy
Mary, only daughter of the late, and
sister to the present sir Henry Joseph
Tichborne, bart. of Tichborne-house,
Hants.

12. By special license, at St. Leo-
nard's-lodge, Horsham, Francis Fletcher
Vane, esq. eldest son of sir Frederick
Vane, bart. to Diana, third daughter of
Charles Beauclerk, esq.

— By special license, William Bing-
ham Baring, esq. eldest son of A. Baring,
esq. M. P. to lady H. Montague,
daughter of the late, and sister to the
present earl of Sandwich.

15. At Welsh Pool, Montgomeryshire,
colonel J. H. E. Hill, C. B. of the 23rd
Royal Welsh Fusiliers, to Jane, second
daughter of the late James Turner, esq.
of that town.—Also the rev. Richard J.
Davis, of Guilfield, Montgomeryshire,
to Eliza Eleanora, youngest daughter of
the same.

— At St. George's, Hanover-square,
James Edmund Leslie, esq. eldest son
of James Leslie, esq. of Leslie Hall, in
the county of Antrim, to Sarah, youngest
daughter of the right rev. bishop Sand-
ford, of Edinburgh.

21. By special license, at the resi-
dence of lord Ravensworth in Portland-
place, the hon. Wm. Keppel Barrington,
eldest son of viscount Barrington,
to the hon. Jane Elizabeth Liddell.

Lately, at Dunbar-house, J. War-
render, esq. son of the late sir Patrick
Warrender, of Lochend, bart. to lady
Juliana Jane Maitland, youngest daugh-
ter of the earl of Lauderdale.

At Duff-house, near Banff, the seat
of the earl of Fife, Hughes Ball, esq.
to Mademoiselle Mercandotti. Imme-
diately after the ceremony they set off
for Dalgety Castle, the seat of gen. Duff.

At Edinburgh, captain W. Murray,
of the East India Company's service,
the Madras Establishment, to Mrs.
Campbell, relict of col. Campbell, of
Ballachyle, Argyleshire.

174 ANNUAL REGISTER, 1823.

MARRIAGES.

At Edinburgh, the right hon. lord Dunsany, to the hon. Miss Kinnaird.

At Brookland's, Kirkcubright, the son of George Charles Jones, esq. John Birney, esq. to Helen Cordelia Jones.

MAY.

1. At Chelsea, Charles Schreiber, esq. of Hinchelsea-lodge, Hants, to Amelia, eldest daughter of major-general sir John Cameron, K. C. B.

2. At Brighton, by the dean of Hereford, St. Leger Hill, esq. captain of the 12th Lancers, son of the late A. Hill, esq. of Downrille, to Catherine, second daughter of the late J. Nugent, esq. of Clay-hill, Epsom, and niece of the late right hon. Edmund Burke.

8. At Wandsworth, Surrey, the rev. J. Whitlock, to Frances Benedict Anastasia, only daughter of J. Pritchard, esq. of Gray's-Inn-lane-road, and niece to the late sir Willoughby Aston, bart.

13. At St. Mary-le-bone Church, capt. Job Hammer, R. N. of Holbrook-hall, Suffolk (nephew of sir T. Hammer, bart.) to Harriet, daughter of the late T. Dawson, esq. of Edwardston-hall, Suffolk.

15. At St. James's Church, the rev. Walker King, eldest son of the lord bishop of Rochester, to Anne, third daughter of Dr. Heberden.

— At Worcester, Charles Hastings, M. D. son of the rev. James Hastings, rector of Martley, in the county of Worcester, to Hannah, eldest daughter of Dr. Woodgatt, of Worcester.

27. Charles R. Sperling, esq. youngest son of John Sperling, esq. of Dynes-hall, Essex, to Louisa, only daughter of the late Thomas Astle, esq. of Gosfield, in the same county.

— At Ovingdeane, near Brighton, Nathaniel Kemp, esq. to Augusta Carolina, second daughter of the late sir John Eamer.

— At Devonshire-house, by the archbishop of York, earl Gower, eldest son of the marquis of Stafford, to the hon. H. Howard, third daughter of lord and lady Morpeth.

29. At St. Giles-in-the-Fields, sir Dan. Williams, of Stamford-hill, to Miss Stabbe, of the Terrace, Kentish-town.

JUNE.

4. At Bath, Horatio Davis, esq., only son of sir John Davis, to Miss James, daughter of sir Walter James.

5. John Duffield, esq. of Burnard-street, Russel-square, to Eliza, youngest daughter of Benjamin Boville, esq. of Putney.

9. At Castletown, Isle of Man, Richard, only son of Joseph Mellin, esq. of Wakefield, to Jane, eldest daughter of the hon. Richard Mullins, and grand-daughter of lord Ventry, of Bramham-house, Dingle, in the county of Kerry.

— At St. James's church, by the rev. John Magenis, vicar of Harold, (Bedfordshire, J. A. Warre, esq. M.P. of Cheddons Filey Paine, Somersetshire, to Florence Catherine, youngest daughter of Richard Magenis, M.P. of Grosvenor-place.

14. By special licence, at St. George's Hanover-square, by the lord bishop of Calcutta, Andrew W. Corbet, esq. of Sandorne-castle, Shropshire, to Mary Emma, youngest daughter of the late John Hill, esq. of Hawkstone-park, in that county, grand-daughter to sir John Hill, bart. and niece to the right hon. lord Hill.

— At Mary-le-bone-church, by his grace the lord archbishop of Dublin, John M'Neile, esq. eldest son of Alexander M'Neile, esq. of Ballycastle, Ireland, to Charlotte Lavinia, youngest daughter of major-general sir Thomas Dallas, K.C.B.

17. At St. George's, Bloomsbury, by the rev. R. H. Millington, B.A. of St. John's college, Oxford, John Prinae, esq. of Cheltenham, to Mary Ann, only daughter of the late Richard J. Millington, esq. of Guildford-street, Russel-square.

19. At St. George's, Hanover-square, by the bishop of Meath, the rev. Richard Bracken Michel, fellow of Queen's college, Oxford, to Henrietta Harriet, eldest daughter of the late Duncan Campbell, esq. of Bedford-square.

— At Streatham, George Chilton, esq. of the Inner Temple, Barrister-at-law, to Miss Poore, eldest sister to sir Edward Poore, bart.

JULY.

1. At Ipsden, Oxon, lieut. Allen Francis Gardiner, R.N. third son of Samuel Gardiner, esq. of Coombe-lodge, Oxon, to Julia Susanna, second daughter of John Reece, esq. of Ipsden-house, in the same county.

'MARRIAGES.

8. By the rev. lord John Thynne, the hon. Henry Lascelles, to lady Louisa Thynne, daughter of the marquis and marchioness of Bath.

8. At the house of Barrington Price, esq. of Haslemere, Robert Price, esq. M.P. for Hereford, and only son of Uvedale Price, esq. of Foxley, to Mary Anne Elizabeth, youngest daughter of the late rev. Dr. Price, prebendary of Durham, and canon residentiary of Salisbury.

15. At Churston Ferrers, Devonshire, by the rev. J. Dix, colonel William Wood, to Charlotte Elizabeth, eldest daughter of capt. Edward Dix, R.N.

— At Speldhurst, Kent, major Brook Bridges Parby, of the Madras army, to Miss Maria Plumb.

16. At Cheltenham, Isaac Hawkins Morrison, esq. Post-captain in the royal Navy, to Louisa Adams, daughter of John Powell Smith, esq. of Upper Berkeley-street, Portman-square.

— At St. George's, Hanover-square, by the rev. Thomas White, John Jarrett, esq. of Marelands, Hants, and Camerton-house, Somersetshire, to Anna Eliza Waller, youngest daughter of sir Matthew Waller, bart. of Pope's Villa, Twickenham, and of Hertford-street, May-fair.

17. At St. George's, Hanover-square, col. Mackinnon, to Anne Jane, eldest daughter of John Dent, esq. M.P.

22. At Mary-le-bone-church, James Blackwell, eldest son of Wm. Præd, esq. of Tyringham, Bucks, and Trevelion, Cornwall, to Sophia, second daughter of the late, and sister of the present Charles Chaplin, esq. M.P. for the county of Lincoln.

29. At St. George's, Hanover-square, by the rev. Moss King, John James King, esq. eldest son of J. King, esq. of Grosvenor-place, to the hon. Charlotte Wyndham, youngest daughter of the earl of Egremont.

— At St. George's, Hanover-square, lord viscount Sidmouth, to the hon. Mrs. Townshend, daughter of lord Stowell, and relict of the late Thomas Townshend, esq. of Honington-hall, Warwickshire.

30. At St. George's, Hanover-square, William Gordon Coesvelt, esq. jun. of Upper Brook-street, to Anna Maria, daughter of Henry Baring, esq. of Berkeley-square.

31. Henry Birkbeck, esq. banker, of Lyon Regis, in the county of Norfolk,

to Elizabeth Lucy, youngest daughter of the late Robert Barclay, esq. of Clapham-common, Surry.

— At Mary-le-bone-church, by the hon. and rev. Henry Watson, the hon. George John Milles, of Elmham-hall, Norfolk, second son of the late lord Sondes, to Eleanor, second daughter of the dowager lady Knatchbull, of Wimpole-street.

— At Blunham, Richard Hetley, esq. of Wilton, to Caroline Letitia, eldest daughter of John Campbell, esq. of Dunnoon, Scotland, and Blunham-house, Bedfordshire, and niece of Wadham Wyndham, esq. M.P. for Salisbury.

— At Otley, lieut.-gen. sir Edward Barnes, K.C.B. governor of Ceylon, to Maria, eldest daughter of Walter Fawkes, esq. of Farnley-hall, in the county of York.

— At Bishop's-court, by special licence, the right hon. earl Fitzwilliam, to the dowager lady Ponsonby; the age of the former is 78, of the latter 70.

AUGUST.

1. At Clifton, Matthew Henry Lister, esq. eldest son of Matthew Bancroft Lister, esq. of Barwell-park, Lincolnshire, to Arabella, fourth daughter of J. Cracroft, esq. of Hackthorn, in the same county.

4. John Vaughan, esq. one of his majesty's serjeants-at-law, to the right hon. Louisa baroness St. John, relict of the late, and mother of the present lord St. John, of Bletsoe.

5. At Walcot-church, Bath, Edward Semple, of Clare-hall, Cambridge, to Sarah Helen, only daughter of the late John Deane, esq. of Parrocks-lodge, Somersetshire.

6. At Cossey, Norfolk, by special licence, by the right rev. the bishop of Norwich, Thomas Alexander Fraser, esq. of Lovat and Strichen, to Charlotte Georgiana, eldest daughter of sir George Jerningham, bart. of Cossey-hall.

7. At Totteridge, Herts, by the dean of Clunifert, the hon. capt. Granville George Waldegrave, R.N. eldest son of admiral lord Radstock, to Esther Caroline, youngest daughter of the late John Puget, esq. of Totteridge.

— At St. George's, Hanover-square, Frederick Alexander, son of sir William Augustus Cunningham, bart. to Ann, youngest daughter of Edward Earl.

MARRIAGES.

esq. chairman of the board of Customs for Scotland.

— At Mary-le-bone-church, Alexander Grey, esq. to Mrs. Wiggell, relict of the rev. Atwood Wiggell, of Sanderstead, Surrey.

— The hon. Frederick Calthorpe, to lady Charlotte Somerset.

13. At St. Mary's Lambeth, sir William Blizard, of Devonshire-square, to Miss Blizard, of Brixton.

14. At St. Pancras-church, Mr. George Chatfield, of Burton-crescent, to Miss Barry, only daughter of the late Richard Barry, esq. of Palmer's Green.

— At St. George's, Hanover-square, George Montague Williams, eldest son of W. Williams, esq. M.P. to Anna Maria, eldest daughter of Samuel Scott, esq. M.P. of Sandridge-park, Kent; and grand-daughter of sir Claude Scott, bart. of Lytchet-minster, Dorsetshire.

16. At St. Mary's, Islington, J. Bowyer, esq. of Caldwell-hall, Worcester-shire, to Catherine, sister of colonel Payne, of Exmouth.

18. At Mary-le-bone-church, Wm. Milligen, M.D. of Sloane-street, to Elizabeth Sybil, second daughter of the late colonel Lane, of the hon. East-India company's service, and of Lenesville, in the county of Dublin.

19. At Mary-le-bone-church, capt. Franklin, R.N. to Eleanor Anne, youngest daughter of the late W. Porden, esq. of Berners-street.

25. At Broadclyst, in the county of Devon, Henry Jenkinson, esq. R.N. eldest son of the late general Jenkinson, to Miss Acland, daughter of the late, and sister to the present sir Thos. Dyke Acland, bart.

26. William Theed, esq. of Hilton-house, Huntingdonshire, to Ann, eldest daughter of J. Vipan, esq. of Sutton Gault, in the Isle of Ely.

28. At St. James's-church, Gilbert East Jolliffe, esq. to Margaret Ellen, daughter of sir Edward Banks.

— At Lakenham, Norfolk, Charles Edwards, esq. solicitor, of that place, to Harriet, second daughter of the late Mr. Francis Smith, of Norwich, and niece to sir James Edward Smith, M.D. F.L.S. &c.

SEPTEMBER.

2. At Walcot-church, Bath, Joseph Martineau, esq. to Caroline, youngest daughter of the late Dr. Parry, of that city.

4. At Beddgelert, Carnarvonshire, Hen. Hesketh, esq. only son of Henry Hesketh, esq. of Newton, Cheshire, to Margaret, second daughter of the late James Hilton, esq. of Pennington-hall, and Sinedley, Lancashire.

6. At St. George's, Hanover-square, the hon. Thomas Dundas, eldest son of lord Dundas, to Sophia Jane, daughter of the late, and sister to the present sir Hedworth Williamson, bart.

8. At Mary-le-bone-church, by the rev. sir Robert Peat, Francis Henry Davis, esq. of his majesty's Remembrancer's office, to Lucy Clementine, only daughter of lord Maurice Drummond.

— At St. Mary's, Gloucester, sir Anthony Lechmere, bart. of the Rhyl, in the county of Worcester, to Miss Villiers, bar-maid at the Hop-pole Inn, in the city of Worcester.

— At St. Nicholas', Warwick, the rev. W. Chambers, B.D. vicar of Ashbury, Berks, and late Fellow of Magdalen college, Oxford, to Jane, third daughter of the late rev. Dr. Pell, rector of Brereton, in the county of Chester.

9. At Mary-le-bone-church, captain M'Alpine, 15th Hussars, eldest son of Coningham M'Alpine, esq. of Gardiner's-place, in the county of Dublin, to Louisa, second daughter of Thomas Delves Broughton, esq. of Stratford-place.

— At Mary-le-bone, by the rev. Wm. Long, canon of Windsor, H. Seymour Montagu, esq. to Maria, youngest daughter of the late Beeston Long, esq. of Combe-house, Surrey; and niece to the right hon. sir Charles Long, G.C.B.

10. At Sidmouth, Codrington Parr, esq. of Stonelands, Devon, to Harriet Lydia, youngest daughter of Henry Manning, esq. of Sidmouth, and niece to admiral sir Robert Barlow, K.C.B.

11. At Northfleet, Richard Gilbert, esq. of St. John's-square, to Anne, only daughter of the rev. George Whittaker.

— At St. Albans, John, second son of John Smart, esq. of Trewitt-house, in the county of Northumberland, to Mary-Ann, eldest daughter of the late rev. Thomas Gregory, of Henslow, Bedfordshire.

16. At Bromley-church, by the hon. and right rev. Edward Legge, lord bishop of Oxford, William Saunders, esq. capt. royal horse artillery, to Eliza

MARRIAGES.

Louis, second daughter of Walter Boyd, esq. M.P. of Plaistow-lodge, and Charles Barry Baldwin, esq. of the Inner-temple, secretary to the Commission for Claims, on France, to Frances Lydia, third daughter of the same gentleman.

At Dublin, Richard Cowen Chambers, esq. second son of J. Chambers, esq. of Lifford, to Caroline, second daughter of the late Robert Warren, rector of Tuam and Cong, and niece to sir William and the right hon. sir Gore Ouseley, bart.

OCTOBER.

1. At Hampstead, G. Fallon, esq. late captain of the 11th regt. light Dragoons, to Mrs. Probyn, relict of the late governor Probyn, and daughter of the late general Rooke.

— At Ripley-castle, Charles Slingsby, esq. of Loftus, in the county of York, son of the late sir Thos. Slingsby, bart. of Scriven-park, and Red-house, in the same county, to Emma Margaret, daughter of Thomas Atkinson, esq. of Fairhill, Lancashire.

2. At Weston-church, near Bath, major Alexander Campbell, of the 3rd guards, to Mary, sister to captain Samuel Brown, R.N.

6. At Nether Winchendon, Bucks, the rev. Chas. Spencer, rector of Wheatfield, Oxfordshire, and nephew to the duke of Marlborough, to Mary Anne, daughter of sir Scrope Bernard Morland, bart. M.P.

7. Major gen. Carey, to Miss Manning, daughter of William Manning, esq. M.P. for Lymington.

9. At Cann-Church, Shaftesbury, Dorsetshire, the rev. John Horsley, Dakin, domestic chaplain to his royal highness the duke of York, to Sophia Matilda Caroline Mansel, youngest daughter of the late bishop of Bristol, and master of Trinity college, Cambridge.

— At Ditton-park, the hon. P. F. Cust, M.P. to lady Isabella Scott, sister to the duke of Buccleugh.

13. At Yarmouth, in the county of Norfolk, Jas. (Cohen) Palgrave, esq. of the Inner Temple, to Elizabeth, second daughter of Dawson Turner, esq. banker, of the former place.

— At Bath, the rev. Dr. Prevost, to Mrs. Fawke.

— At Scampton, near Lincolnshire, VOL. LXV.

Thos. Waterhouse Kaye, esq. of the Middle Temple, barrister-at-law, to Mary Ann, fourth daughter of the rev. Dr. Illingworth, of the former place.

— At Reading, the rev. Philip Filleul, rector of St. Bredlade's, and lecturer of St. Aubins, Jersey, to Catherine Elizabeth Blanche, fourth daughter, — and the rev. Peter French, to Penelope Arabella, youngest daughter of the rev. Dr. Valpy, of Reading.

15. At Gardesley, Herefordshire, by the rev. Geo. Coke, W. Sarsfield Rositer Cockburn, only son and heir of the late gen. sir W. Cockburn, of Cockburn and Ryslaw, bart. to Anne, eldest daughter of the rev. Fras. Coke, of Lower Moor, Herefordshire, Prebendary of Hereford, &c.

16. At St. George's, Hanover-square, Henry Philip Powys, esq. eldest son of Philip Lybbe Powys, esq. of Hardwick House, Oxfordshire, and Broomfield House, Middlesex, to Philippa Emma Shawe, of Upper Brook-street, youngest daughter of the late William Cunliffe Shawe, esq.

17. At Kirk Deighton, Offley, second son of Sam. Shore, esq. of Norton Hall, Derbyshire, to Eliza, second daughter of John Brecom, esq. of North Deighton, Yorkshire.

— At Salisbury Cathedral, John Mirehouse, esq. of Brownslade, Pembroke-shire, to Miss Elizabeth Fisher, youngest daughter of the bishop of Salisbury.

19. Major Stepney Cowell, of the Coldstream Guards, to Miss Murray, eldest daughter of general John Murray.

25. At Twickenham, Edward Hall Alderson, esq. of the Inner Temple, to Miss Drewe, daughter of the late rev. Edward Drewe, of Broadhembury, Devonshire.

At Kimbolton, by the right rev. the lord bishop of Lincoln, Evan Baillie, esq. of Dochfour, to lady Georgiana Montagu, daughter of the duke of Manchester.

At Kirkaldy, by the rev. Dr. Martin, of Monimail, the rev. Edward Irving, A. M. of the Caledonian Chapel, Hatton Garden, to Isabella, eldest daughter of the rev. John Martin, of Kirkaldy.

At Ghent, Thos. Molyneux Seele, esq. of Hurst House, Lancashire, to Agnes Mary, third daughter of sir Richard Bedingfield, bart. of Oxburgh Hall, Norfolk.

At Berne, at the English ambas-

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MARRIAGES.

sador's chapel, lord viscount Sandon, eldest son of the earl of Harrowby, to lady Frances Stewart, only daughter of the marchioness of Bute, and granddaughter of the late Thos. Coutts, esq.

NOVEMBER.

3. The rev. W. Vernon, of Hanbury, Worcestershire, to Miss Foley, eldest daughter of the late Herbert Foley, esq. of Ridgeway, Pembrokehire.

4. Wm. Pott, esq. of Bridge-street, to Mary, eldest daughter of sir Charles Price, bart.

— Lately, W. Clayton, esq. third son of George Clayton, esq. of Lostock-hall, near Preston, Lancashire, and nephew of the late lord Gardner, to Mary, third daughter of the late Edward Gorst, esq. of Preston, and niece of the late Robert Lowndes, esq. of Bath.

6. At Arundel, Mr. Cust, of Curzon-street, to Mrs. Wall, relict of the late brevet-major Adam Wall, of the royal Artillery.

10. At Mary-le-bone-church, Walter Stevenson Davidson, esq. of Inchmarlo, Kincardineshire, to Anne, only daughter of Gilbert Matthison, esq. and granddaughter of the late sir Walter Farquhar, bart.

— At St. George's, Bloomsbury, by the rev. G. Ludford Harvey, vicar of Diseworth, and one of the domestic chaplains of the duke of York, Henry N. Daniel, esq. of the royal Artillery, to Margaretta Lucy, only daughter of sir Ludford Harvey, of Bedford-place.

18. At Leybourne, Thomas Gardiner Bramston, esq. of Sreens, Essex, to Charlotte, widow of the rev. Brook John Bridges, and daughter of sir Henry Hawley, bart. of Leybourne Grange.

At Fulseley, Glen Urquhart, Inverness-shire, sir Charles Chambers, one of the Judges of the supreme court of Judicature, Bombay, to Isabella, youngest daughter of the late major Wm. Wilson.

DECEMBER.

3. At Chichester, by the rev. Archdeacon Webber, the hon. capt. Berkeley, R.N. to lady Charlotte Lennox, sister to the duke of Richmond.

4. At Llanover, Monmouthshire, by the rev. Dr. Hall, chancellor of Llandaff,

Benjamin Hall, esq. of Haenal-castle, Glamorganshire, and of Abercarne, Monmouthshire, eldest son of the late member for Glamorganshire, to Augusta, youngest daughter of Benjamin Waddington, esq. of Llanover.

— At Linsted, Kent, William Taylor, esq. nephew to lord Teynham, of Linsted-lodge, to Elizabeth Taylor, of New-house, at the same place, niece to John Baring, esq. of Nouds, ditto.

11. At Bathford, capt. Oliver, 32d regt. to Mary, daughter of rear-admiral Dacres.

— At King's Norton, the rev. George William Bowyer Adderley, of Fillongley-hall, Warwickshire, to Caroline, youngest daughter of the late John Taylor, esq. of Moseley-hall, Worcester-shire.

16. At West Wrattling, Cambridge-shire, the rev. Wm. Acton, rector of Ayott St. Laurence, Herts, to Henrietta, fourth daughter of sir C. Watson, bart. of Wrattling-park.

— J. S. Henslow, A.M. of St John's college, and professor of Mineralogy in that University, to Harriot, second daughter of the rev. George Jenyns, of Bottisham-hall, in the county of Cambridge.

— At Huyton, Edward Penrhyn, son of the rev. Oswald Lycester, of Stoke, in the county of Salop, to the hon. Charlotte Elizabeth, eldest daughter of lord Stanley, of Knowsley, in the county of Lancaster.

— By special licence, at St. George's, Hanover-square, by the rev. George Champagne, canon of Windsor, William Duncombe, esq. M.P. to lady Louise Stuart, youngest daughter of the earl of Galloway.

19. At St. Pancras, Robert Milford, esq. of the Ordnance-office, to Miss Stanger, daughter of James Stanger, esq. of Doughty-street.

Lately, at Edinburgh, sir Abraham Elton, bart. of Elvedon Court, Somersetshire, to Mary, eldest daughter of the late William Stewart, esq. of Castle Stewart, and niece to the earl of Seaforth.

PROMOTIONS.

JANUARY.

3. *War-office.*—77th reg. foot: brevet lieut.-col. Murdock Hugh Macdaine, to

PROMOTIONS.

be. *lieut.-col. vice* Bromhead; captain George-Parish Bradshaw to be major, *vice* MacLaine.

The gazette of Jan. 7, contains the ceremonial of the investiture of maj.-gen. sir T. Pritzer with the ensigns of a knight commander of the bath.

10. *War-office*.—Royal reg. of Horse Guards; *Haut. F. W. C. Smith* to be capt. *vice* Jebb, who retires.

31. *Whitehall*.—Right hon. Frederick John Robinson, chancellor and under-treasurer of his majesty's Exchequer.

Right hon. Wm. Huskisson, treasurer of his majesty's navy.

— *Duchy of Lancaster*.—Right hon. Nicholas Vansittart, chancellor of the said duchy and county palatine of Lancaster; and the gazette of 15th Feb. contains his elevation to the peerage, by the title of baron Bexley, of Bexley in Kent.

NAVAL PROMOTIONS.

To the Rank of Post Captain.—Captains lord Henry Thynne, hon. Frederick Spencer, Archibald McLean, John Theed, James H. Plumridge, Charles Nelson, George Tyler, and John Francklyn.

To the Rank of Commander.—Lieutenants T. Bouchier, J. Lowry, D. J. Woodriff, Edwin L. Rich, A. Kennedy (B), E. M. Harrington, C. Hope, H. R. Mooroom, W. Moriarty, and R. Chamberlayne.

ECCLESIASTICAL PREFERMENTS.

Rev. Reginald Heber, M. A. to the bishopric of Calcutta.

Rev. George-Lewes Benson, vicar-choral of Salisbury Cathedral.

Rev. J. Mayo, Avebury V. Wilts. [Being the fourth incumbent in that benefice in continued succession from father to son since 1711.]

CIVIL PREFERMENTS.

Rev. Dr. Chalmers, professor of moral philosophy in University of St. Andrews.

P. Mason, esq. B. A. of St. John's College, Cambridge, master in the Royal Naval College, Gosport.

Rev. Ralph Lyon, A. M. of Trinity College, Cambridge, head-master of Sherborne School.

MEMBER RETURNED TO PARLIAMENT.

Borough of Wilton. Edward Baker, esq. *vice* Sheldon, dec.

FEBRUARY.

1. *Foreign-office*.—Right hon. Henry Wellesley, K. G. C. B. to be ambassador extraordinary and plenipotentiary to the emperor of Austria.

The earl of Clanwilliam to be envoy extraordinary and minister plenipotentiary to the king of Prussia.

7. *Whitehall*.—The earl of Liverpool; right hon. F. J. Robinson; Berkeley Paget, esq.; vicount Lowther; lord Granville Charles Henry Somerset; right hon. John Maxwell Barry; and Edmund Alex. McNaghten, esq. to be commissioners for executing the offices of treasurer of the Exchequer of Great Britain and lord high treasurer of Ireland.

Right hon. C. Watkin Williams Wynn; earl Bathurst; right hon. G. Canning; right hon. Robert Peel; earl of Liverpool; right hon. F. J. Robinson; John baron Teignmouth; right hon. John Sullivan; viscount Cranbourne; right hon. W. H. Fremantle; right hon. sir G. Warrender, bart.; and Joseph Phillimore, L. L. D. to be commissioners for the affairs of India.

Sir Edward Hyde East, *knt. late* chief-justice of Calcutta, created a baronet.

8. *Foreign-office*.—Henry Watkin Williams Wynn, esq. to be envoy extraordinary and minister plenipotentiary to his majesty the king of Wurtemberg.

Charles Richard Vaughan, esq. to be minister plenipotentiary to the confederated states of the Swiss cantons.

Hon. Algernon Percy, to be secretary to his majesty's embassy at Paris.

Gibbs Crawford Antrobus, esq. to be secretary to his majesty's legation at Turin.

William John Crosbie, esq. to be secretary to his majesty's legation to the confederated states of the Swiss cantons.

— *Whitehall*. Lord Beresford, G. C. B. to be *lieut.-gen. of the ordnance, vice* Oakes, dec.

14. *War-office*.—45th reg. of foot, gen. R. earl of Cavan, K. C. to be col. *vice* Lister, dec.

58th ditto: Gen. T. lord Lynedock, G. C. B. to be col. *vice* lord Cavan, promoted.

90th ditto: *lieut.-gen. hon. R. Meade* to be col. *vice* lord Lynedock, promoted.

180 ANNUAL REGISTER, 1823.

PROMOTIONS.

83rd ditto : brevet lieut.-col. hon. sir C. Gordon to be lieut.-col. *vice* Milling, who retires.

Major R. Dalryell to be lieut.-col. of Infantry, *vice* major-general Stirling, who retires.

20. *Whitehall*.—Marquis of Tweeddale, K. T. to be lieutenant and sheriff principal of the shire of East Lothian, *vice* earl of Harrington, resigned.

21. *Carlton House*.—Lieut.-gen. hon. sir Galbraith Lowry Cole, G. C. B. to be governor of the island of Mauritius.

25. Right hon. C. Arbuthnot, W. D. Adams, and H. Dawkins, esqrs. to be commissioners of his majesty's woods, forests, and land revenues.

ECCLIASTICAL PREFERMENTS.

Rev. C. R. Sumner, and the rev. Dr. Hugh Pearson, to be chaplains in ordinary to his majesty.

Rev. Thos. Calvert, to the wardenship of the collegiate church of Manchester.

Rev. W. Acton, L. L. B. Ayott St. Laurence R. Herts.

Rev. R. P. B. Henshaw, chaplain to marquis of Salisbury.

Rev. Allan Macpherson, domestic chaplain to marquis of Tweeddale.

CIVIL PREFERMENTS.

Rev. Reginald Heber, M. A. bp. of Calcutta, created D. D. by diploma.

Rev. Thos. Edw. Bridges, B. D. senior bursar of Corpus Christi college, to be president of that society.

Rev. J. Cape, of Trinity Coll. Cambridge, head-master of the East India company's artillery and engineer seminary at Addiscombe.

Rev. Ralph Lyon, A. M. elected head-master of the king's school, Sherborne.

NEW MEMBERS RETURNED TO PARLIAMENT.

Chichester.—Wm. Stephen Poyntz, esq. *vice* Huskisson.

Dublin County.—Lieut.-col. Henry White, *vice* H. Hamilton, dec.

Harnwick.—Rt. hon. Geo. Canning and John Charles Herries, esq.

Liverpool.—Rt. hon. W. Huskisson, *vice* Canning, resigned.

New Windsor.—E. C. Disbrowe, esq.

Peterborough.—Jas. Scarlett, esq. re-elected.

Ripon.—Right hon. F. J. Robinson. *St. Germain's*.—Rt. hon. Charles Arbuthnot.

Winchester.—Sir Edward Hyde East, bart.

MARCH.

11. *Lord Chamberlain's Office*.—Patrick Macgregor, esq. to be third principal serjeant-surgeon in ordinary to his majesty.

15. Major-gen. sir E. Barnes, K. C. G. to be governor and commander-in-chief of the island of Ceylon.

The earl of Erroll to be one of the lords of his majesty's bedchamber, *vice* lord Amherst.

17. *Admiralty Office*.—The duke of Clarence, K. G. K. T. and G. C. B. admiral of the fleet, to be general of his majesty's royal marine forces, *vice* earl of St. Vincent, dec.

18. G. Bomeester, esq. to be his majesty's consul for the Island of Sardinia.

21. *Lord Chamberlain's Office*.—Col. James Russell, to be gentleman usher of his majesty's most honourable privy chamber in ordinary.

H. T. Baucutt Mash, esq. to be assistant-master and marshal of the ceremonies to his majesty.

24. *War Office*.—2nd reg. of Life Guards: capt. lord J. Bentinck, to be capt. *vice* S. R. Jarvis, who exchanges.

Coldstream reg. of Foot Guards: capt. W. L. Walton, to be capt. and lieut.-col. *vice* Gore, who retires.

Capt. R. Bowen, to be lieut. and capt. *vice* Rous, who exchanges.

16th foot: lieut.-general W. C. lord Beresford, G. C. B. to be colonel, *vice* lieut.-general Gordon, dec.

69th ditto: lieut.-gen. sir J. Hamilton, bart. to be col. *vice* lord Beresford.

83rd ditto: lieut.-gen. John Hodgson, to be colonel, *vice* general Balfour, dec.

Gen. sir R. Brownrigg, bart. G. C. B. to be governor of Landguard Fort, *vice* gen. Lister, dec.

28. 89th foot: lieut.-gen. sir R. Macfarlane, K. C. B. and G. C. H. to be col. *vice* gen. sir G. Beckwith, dec.

—Charles William Vane Stewart, marquess of Londonderry, in the peerage of Ireland, created earl Vane and viscount Seaham, of Seaham in the county palatine of Durham, with remainder to his eldest son and the other children by his present lady.

William Carr Beresford lord Beres-

PROMOTIONS.

Sord, created viscount Beresford of Beresford, co. Stafford, with remainder to the heirs male of his body.

29. 1st (or royal) regiment of foot, to bear on its colours and appointments the words "Nagpore" and "Maheidpoor," in commemoration of the gallantry displayed by the regiment in India, in 1817.

ECCLESIASTICAL PREFERMENTS.

Rev. H. N. Pearson, D. D. to the deanery of Sarum, *vice* Talbot, dec.

Rev. J. Lilly, of Newcourt, to the archdeaconry of Hereford, *vice* Jones, dec.

Rev. Matthew Marsh, B. D. Beaminster, prima prebend in the cathedral of Sarum.

CIVIL PREFERMENTS.

Mr. Serjeant Hullock, to be a baron of the exchequer, *vice* Wood, who retires.

Mr. Trower, master of chancery, *vice* Jekyll, resigned.

Rev. T. Kennell, vicar of Kensington, and chaplain to the bishop of Salisbury, to the mastership of St. Nicholas' Hospital, near Salisbury.

Rev. T. E. Bridges, B. D. fellow and senior bursar of Corpus Christi College, Oxford, unanimously elected president of that society.

NEW MEMBERS RETURNED TO PARLIAMENT.

Arundel.—Thomas Read Kemp, esq. *Berwick*.—Sir J. P. Beresford, bart. *Coleraine*.—Sir J. Brydges, *vice* sir J. P. Beresford, bart. steward of East Hendred.

Dorsetshire.—E. B. Portman, esq. *vice* his father, dec.

Fermanagh County.—Lord viscount Corry, *vice* sir G. L. Cole.

Ross-shire.—Sir James Wemyss Mackenzie, bart.

Rye.—Rob. Knight, esq. *vice* J. Dodson, D. C. L. Chiltern Hundreds.

Ryegate.—James Cocks, esq. *vice* the hon. J. S. Cocks, Chiltern Hundreds.

Wigtown.—Sir W. Maxwell, bart.

Winchelsea.—W. Leader, esq.

APRIL.

4. *War Office*.—The 65th regiment to bear on its colours and appointments the figure of the royal tiger, with the

word "India" superscribed, and also the word "Arabia" beneath the figure and the number of the regiment, to commemorate the services of the corps in those countries.

5. Right hon. William Huskisson, president of the Council of Trade and Plantations, and the right hon. Charles Grant to act as such in his absence—Sir H. Hardinge to be clerk of the Ordnance.

—5th Dragoon Guards: capt. R. D. Cane, to be major.

7th Light Dragoons: capt. J. J. Fraser, to be major.

7th Foot: Major J. Carter, to be major.

72nd ditto: Brev. lieut.-col. T. G. Fitzgerald, to be major.

74th ditto: Major J. A. Mein, to be lieut.-col.

92nd ditto: Brev. lieut.-col. J. F. Fulton, to be major.

Cape corps of Cavalry: to be major, capt. H. Somerset.

Major-gen. sir E. Barnes, K.C.B. to be lieut.-gen. in the island of Ceylon.

Staff: Col. J. Gardiner, to be deputy adj.-gen. to the troops serving in Ireland.

9. Hon. sir C. Paget, knt.; Robert Williams, esq.; Rich. Worsley, esq.—to be rear-admirals of the Blue.

11. *Whitehall*.—Earl of Morton, K.T. to be his majesty's high commissioner to the General Assembly of the church of Scotland.

15. Wm. Burton, esq. to be page of honour in ordinary to his majesty.

19. Vice-admiral sir H. Neale, bart. K.G.C.B. is appointed to the command in the Mediterranean.

Rear-admiral sir G. Eyre, K.C.B. to the command on the south American station.

Commodore C. Grant, C.B. to the East-India station.—*To the rank of post captain*: T. Herbert, C. H. Reid, J. Smith (b), H. T. B. Collier, J. Brenton, W. Rameden, G. R. Pechell, A. B. Branch, H. B. Powell, J. D. Boswell, H. Stanhope, J. T. Coffin, P. Hunn, C. S. White, S. Arabin.

To the rank of commander: F. J. St. John Mildmay, J. Longchamp, J. Brasier, J. Soady, W. Sandom, E. W. Gilbert, R. W. Yates, H. Kent, T. Bushby, hon. W. Waldegrave, C. S. Cochran, E. Hibbert, M. J. Currie, W. Boxer, W. B. Bowyer, H. Anderson, J. B. Dundas.

26. Wm. Franklin, M.D. knighted.

182 ANNUAL REGISTER, 1823.

PROMOTIONS.

— Coldstream regt. of foot guards :
brevet-major A. Wedderburn, to be
capt. and lieutenant-col. *vice* Sowerby, who
ret.—Lieut. C. Short, to be lieutenant and
capt. *vice* Wedderburn.

Isle of Ely, *vice* Edward Christian, esq.
Rev. J. Pears, rector of Charlcomb,
master of the free grammar school,
Bath.

Rev. F. D. Lempriere, head-master
of St. Olave's school, Southwark.

NEW MEMBERS RETURNED TO PARLIAMENT.

Bossiney.—Sir Compton Domville, bart.
Corfe Castle.—J. Bond, jun. esq.
Durham City.—Sir Henry Hardinge,
K.C.B. re-elected.
Haslemere.—George Lowther Thomson,
esq.
Invernesshire.—Rt. hon. Charles Grant.
King's County.—Lord Oxmantown.
Lymington.—Walter Boyd, esq.
Newport.—Jonathan Raine, esq.

ECCLIESIASTICAL PREFERMENTS.

Right rev. Dr. Nathaniel Alexander,
bishop of Down and Connor, translated
to the bishopric of Meath, *vice*
O'Beirne, dec.

Right rev. Dr. Richard Mant, bishop
of Killaloe and Kilfenora, translated to
the bishopric of Down and Connor.

Rev. Dr. Alexander Arbuthnot, dean
of his majesty's cathedral church of
St. Coleman's Cloyne, promoted to the
bishopric of Killaloe and Kilfenora.

Rev. Corbet Hue, D.D. to the
deanery of the Island of Jersey, *vice*
Dupré, dec.

Rev. Thomas Rennell, B.D. Gran-
tham Australis Prebend in Salisbury
Cathedral.

Rev. John Bull, B.D. censor of
Christ church, to a prebend in Exeter
cathedral.

Rev. J. H. Hunt (translator of
Tasso), Weeden Beck V. Northampton-
shire.

Rev. Dr. Maltby, elected preacher to
the hon. society of Lincoln's Inn.

Rev. Thomas Davies, M.A. chaplain
to marquess of Hertford.

Rev. B. J. Ward, chaplain to the
earl of Clanwilliam.

Rev. H. Hubbard, chaplain to bishop
of Winchester.

Rev. W. Curtis, chaplain to bishop of
Oxford.

Rev. Henry Stebbing, evening
lecturer at St. Mary's, Bungay.

Rev. J. Matthews, chaplain to the
bishop of Salisbury.

The lord bishop of Ely has appointed
Henry Storks, esq. chief justice of the

MAY.

3. *War Office*.—23rd reg. of foot:
major-gen. sir J. W. Gordon, bart.
K.C.B. to be col. *vice* Grenville, dec.

85th ditto: major-gen. sir H. Taylor,
K.C.H. to be col. *vice* Gordon, promoted.

Unattached: brevet lieutenant-col. R. B.
Fearon, from the 31st foot, to be lieut-
col. of infantry, by purchase, *vice* lieut-
gen. W. Doyle, who ret.

17. 3rd reg. of foot guards: lieut.
col. James Drummond Elphinstone, to
be capt. and lieutenant-col.

14th reg. of foot: brevet col. Wil-
braham T. Edwards, to be lieutenant-col.

17th ditto: lieutenant-col. Archibald Mac-
laine, to be lieutenant-col.

24. 4th reg. dragons brevet lieut-
col. Robert Ross, to be lieutenant-col.

Coldstream guards, lieut. W. Ser-
jeantson, to be lieutenant and captain.

27. Adm. sir R. Bickerton, K.C.B.
of Upwood-house, to take the surname,
and bear the arms of Hussey quarterly
with those of Bickerton, in compliance
with the will of his late maternal uncle,
lieut.-gen. V. W. Hussey.

ECCLIESIASTICAL PREFERMENTS.

Rev. William Macdonald, M.A. (Pre-
bendary of Bitton) canon residentiary
of Salisbury-cathedral.

Rev. Hugh Bailye, M.A. (canon
residentiary and chancellor of Lichfield)
Dasset Parva prebend.

Rev. Simon Clayton, M.A. Weeford
prebend, Staffordshire.

Rev. T. Gisborne, M.A. of Yoxall
lodge, Staffordshire, author of the
"Survey of the Christian Religion," to
the 5th prebend at Durham.

Rev. John Josias Conybeare, M.A.
elected Bampton lecturer for 1824.

JUNE.

13. *War Office*.—13th light drag-
capt. M. Bowers to be major.

ECCLIESIASTICAL PREFERMENTS.

Hon. and rev. W. Annesley, *Studley*

PROMOTIONS.

V. Warwickshire, which has been vacant since the reign of Edward 6th.

Rev. Mr. Armistead, Cockeram V. co. Lanc.

Rev. L. Athill, Rumburgh perp. cur. with St. Michael Southelham, annexed, Suff.

Rev. Frederick Barnes, D.D. (sub-dean of Christ-church), Cheriton bishop R. Devon.

Rev. W. Read, domestic chaplain to the duke of Clarence.

Rev. H. H. Mogg, domestic chaplain to the marquis of Aylesbury.

Rev. A. Goode, jun. one of the chaplains of the hon. East India company on the Bombay station.

DISPENSATIONS.

Rev. J. Foley, A.M. rector of Holt, Worcestershire, to hold the rectory of Strawley.

The rev. John Fenton, to hold the vicarage of Penrith with the V. of Torpenhow, Cumberland.

Rev. J. Ballard, LL.B. to hold the rectory of Woodeaton, with the perpetual curacy of Cropredy, co. Oxford.

CIVIL PREFERMENTS.

After a sharp contested poll, John Key, esq. elected alderman of Langbourn Ward, *vice* Eamer, dec.

John Crowder, esq. the senior deputy of Farringdon within, unanimously elected alderman of that extensive Ward, *vice* Smith, dec.

James Heywood Markland, esq. F.R.S. of the Temple, unanimously chosen treasurer of the Incorporated society for the propagation of the Gospel in foreign parts, *vice* Charles Bicknell, esq. resigned.

Rev. Henry Wheatley, M.A. and senior fellow of Queen's college, Oxford, on the old foundation, elected principal of St. Edmund-hall.

JULY.

GAZETTE PROMOTIONS, &c.

To the rank of Rear Admirals of the Blue.—Hon. sir C. Paget, knt. Robert Williams, and Richard Worsley, esqrs.

To the rank of Post-Captain.—Septimus Arabin, Edw. Curzon, C. Phillips, and J. Walter Roberts.

Naval Appointments.—Commodore sir E. W. C. Owen, K.C.B. to the com-

mand of H. M.'s squadron in the West Indies, *vice* sir C. Rowley, K.C.B.; rear-admiral sir Charles Paget, knt. on special service.

4. *War Office.*—1st reg. of life guards: capt. H. Earl to be major.

7th foot: brevet lieut.-col. A. C. Wyllly, to be major.

32nd ditto: capt J. Fleming to be major.

67th ditto: captain John Algeo to be major.

78th ditto: brevet major C. G. Falconer to be major.

Royal staff corps: colonel C. M. lord Greenock to be lieutenant-col.

To be lieut.-col. of infantry: brevet lieut.-col. hon. L. Stanhope: major G. Hewett: major C. Wyndham.

Brevet: to be majors in the army: capt. Stopford Cane, of the 66th foot.

Captain J. Grant, of the royal artillery. Staff: colonel W. Marlay to be perm. ass. quartermaster-gen.

Royal regiment of artillery: major and brevet lieut.-col. W. R. Cary to be lieut.-col.: captain and brevet-major C. Younghusband to be major: major W. Payne to be lieut.-col.: major G. Forster to be lieut.-col.: sir A. Dickson, K.C.B. to be major.

5. This gazette contains the king's permission to the 68th foot to bear the appointments of "Salamanca, Vittoria, Pyrenees, Nivelle, and Orthez," in commemoration of those battles.

25. *War Office.*—*Unattached:* brevet lieut.-col. G. O'Malley, to be lieut.-col. of Infantry.

26. Maj.-gen. T. Brown, of the East India company's army, to be knight commander of the Bath; and lieut.-colonels J. Dewar, D. Leighton, C. Deacon, T. Corsellis, W. G. Maxwell, T. Pullock, M. Kennedy, D. Newall, G. M. Popham, R. Hetzler, R. Clarke, L. R. O'Brien, A. Andrewes, C. McLeod, and majors E. Gerr-Stannus, F. F. Staunton, E. J. Ridge, and J. Ford, of the said army, to be companions of the said Order.

19. Earl of Verulam to be lord lieut. of Hertford.

Right hon. sir E. Thornton, G.C.H. to be envoy to his most faithful majesty.

MEMBERS RETURNED TO PARLIAMENT.

Bossiney.—John Stuart Wortley, esq. *Hertford.*—Thomas Byron, esq. *vice* lord Cranborne, now marquis of Salisbury.

PROMOTIONS.

Staffordshire.—Sir John Wrottesley, bart.

CIVIL PREFERMENTS.

Robert Torrens, esq. to be one of the judges of the Court of Common Pleas, Ireland, *vice* Fletcher, dec.

G. B. Whittaker, esq. stationer, and Peter Laurie, esq. saddler, elected sheriffs of London and Middlesex.

Rev. Peter-Paul Dobree, fellow of Trinity college, unanimously elected *Regius* professor of Greek, at Cambridge.

Mr. Blake, to be chief remembrancer of the equity side of the exchequer in Ireland.

John Shephard, proctor of Doctors' Commons, appointed acting registrar of the diocese of London, *vice* John Shephard, senior, deceased.

ECCLESIASTICAL PREFERMENTS.

Rev. W. Clark, (professor of Anatomy, and fellow of Trinity college) Arrington V. co. Cambridge.

Rev. T. Musgrave (lord Almoner's professor of Arabic, and fellow of Trinity college), Over V. co. Cambridge.

AUGUST.

1. *War Office*.—Royal reg. of horse guards, brevet lieutenant-colonel Clement Hill, to be lieutenant-col.; captain W. Richardson, to be major and lieutenant-col.: 5th reg. dragoon guards, captain Charles Walker, to be major.

11th foot, lieutenant-gen. sir Henry Tucker Montresor, K.C.B. to be col.

72nd ditto, captain Mark H. Drummond, to be major, by purchase.

84th ditto, lieutenant-gen. sir Fitzroy-Grafton Maclean, bart. to be colonel.

85th ditto, captain Henry Fairfax, to be major.

Unattached: brevet lieutenant-colonel George Brown and brevet lieutenant-col. John Rolt, to be lieutenant. cols. of infantry, by purchase.

Chaplain: Rev. Thomas Ireland from half-pay, to be chaplain to the forces.

2. *Office of Ordnance*.—Royal reg. of artillery, major Henry Maturin Farington, to be lieutenant-col.: capt. and brevet major Charles Egan, to be major *vice* Farington.

15. 2nd reg. of foot, lieutenant-col. J. Rolt, to be lieutenant-col.; captain

J. Williams, to be major: major Payler, to be lieutenant-col. of infantry, *vice* Griffith, retired. To be lieutenant-cols. in the army: majors R. Macneil, R. M. Oakes, and Henry earl of Uxbridge.

16. Edward Roberts, esq. to be clerk of the Pells to his majesty's receipt of the exchequer, *vice* Addington, dec.—Thomas Grimston Bucknall (heretofore Thomas Grimston Estcourt), of Estcourt, Gloucestershire, esq. M.P. for Devises, to resume his former surname of Estcourt, in addition to and after that of Bucknall.

18. *Foreign Office*.—Hon. W. Temple, to be secretary to his majesty's legation at Berlin.

George Hamilton Seymour, esq. to be secretary to his majesty's legation at the diet of Frankfort.

MEMBER RETURNED TO PARLIAMENT.

Newcastle-under-Line.—J. E. Denison, esq. *vice* Kinnersley, dec.

ECCLESIASTICAL PREFERMENTS.

Rev. G. Glover, M.A. archdeaconry of Sudbury.

Rev. T. R. Bromfield, Gaia major prebend, Lichfield.

CIVIL PREFERMENTS.

Marquis of Bute elected recorder of Banbury, *vice* lord Glenbervie, deceased. W. Stephen Poyntz, esq. elected high steward of the borough of Huntingdon.

The rev. R. Bathurst, M.A. to be official of the archdeaconry of Suffolk.

SEPTEMBER.

5. *War Office*.—The 34th regiment of foot to bear on its colours and appointments, in addition to any other badges or devices which may have hitherto been granted to the regiment, the words "Pyrennees," "Nivelle," "Nive," and "Orthes," in commemoration of the distinguished conduct of the late 2nd battalion of that regiment in the Pyrennees, in the month of July, 1813; at Nivelle, on the 10th November, 1813; in the passage of the Nive, on the 9th, 10th, and 11th December, 1813; and at Orthes, on 27th February, 1814.

6. James lord Montagu to be lieutenant and sheriff principal of the shire of Selkirk, *vice* lord Napier dec.

PROMOTIONS.

9. 42nd reg. foot, maj.-gen. sir G. Murray, G. C. B. to be colonel.

72nd ditto, lieut.-gen. sir John Hope, to be colonel.

92nd ditto, lieut.-gen. Alex. Duff, to be colonel.

11. *Office of Ordnance*.—Royal regt. of artillery, brevet col. and lieut.-col. James Viney, to be colonel, *vice* Wright; retired; brevet lieut.-col. and major Rich. S. Brough, to be lieut.-col.; brevet major and captain Robert Macdonald, to be major.

12. *Whitehall*.—Lord Maryborough to be master of his majesty's buck hounds, *vice* marquis Cornwallis, dec.

Right hon. Thomas Wallace, M.P. master of the Mint, *vice* lord Maryborough.

War-office.—49th reg. of foot, capt. Richard England, to be major.

Unattached: major Henry Hely Hutchinson, to be lieutenant-col. of infantry.

Major-general sir Howard Douglas, bart. to be lieutenant-governor of the province of New Brunswick.

Lieut.-gen. M. Hunter, to be governor of Penderennis Castle.

27. *Whitehall*.—The following gentlemen were created baronets of the United Kingdom: Charles Forbes of New and Edinglassie, co. Aberdeen, esq.—Thos. Reid of Ewell-grove, co. Surrey, and of Graystone-park, co. Dumfries, esq.—George Abercrombie Robinson of Batt's house, co. Somerset, esq.—William Baillie of Polkemmet, co. Linlithgow, esq.

29. Lord George Seymour, H. F. Doyle, esq. John earl of Carhampton, hon. A. Phipps, A. Campbell, and W. Manly, esqrs. sir J. C. Mortlock, bart. hon. C. R. Trefusis, R. Dawkins, J. Hewit, W. Parish, W. Plunkett, and J. Backhouse, esqrs. to be commissioners of the excise for the United Kingdom; and A. Cutto, P. P. Fitzpatrick, S. Rose, and J. Cornwall esqrs. to be assistant commissioners of the excise in Ireland and Scotland.—Also, R. B. Dean, W. Boothby, G. Wilson, J. Williams, and H. Richmond esqrs. the hon. J. H. K. Stewart, W. T. Roe, E. Earl, A. H. Hutchinson, H. S. King, F. S. Larpent, F. B. Watson, and H. J. Bouverie, esqrs. to be commissioners of the customs for the United Kingdom; and the hon. W. Le Poer Trench, J. Smyth, L. H. Fernier, and T. Bruce, esqrs. to be

assistant commissioners of the customs in Ireland and Scotland.

30. *Foreign-office*.—Henry Canning, esq. to be his majesty's agent and consul in the circle of Lower Saxony, and the free cities of Hamburg, Bremen, and Lubeck.

ECCLESIASTICAL PREFERMENTS.

Rev. F. R. Bloomfield, a prebend in Lichfield cathedral.

Rev. George-May Coleridge, Whitechurch Prebend, in Wells cathedral.

Rev. George Greaves, chaplain to the British factory at Archangel.

Rev. John Edmund Jones, chaplain to baroness Dowager Lavington.

CIVIL PREFERMENTS.

Rev. Peter Elmsley, M.A. of Christchurch, principal of St. Alban-hall, Oxford, *vice* Dr. Winstanley, dec.

George Bankes, esq. barrister at law (late M.P. for Corfe Castle), recorder of Weymouth and Melcombe Regis.

David Wilkie, esq. R.A. historical painter to his majesty for Scotland, *vice* sir H. Raeburn, dec.

OCTOBER.

3. *War-office*.—6th regt. dragoon guards, major Edward Wildman to be lieut.-col.—Brevet major William Rutledge to be major.

41st foot, capt. James Lewis Hill to be major.

92nd ditto, capt. Andrew Robert Charleton to be major.

17. 1st reg. dragoons, capt. Henry Stisted to be major.

19th foot, lieut.-gen. hon. Robert Meade to be colonel.

23rd ditto, Major Rich. England to be major.

49th ditto, brevet lieut.-col. J. Humphrey Edward Hill to be major.

60th ditto, brevet col. John Foster Fitzgerald to be lieut.-colonel; brevet major Frederick Im Thurn to be major.

90th ditto, major-gen. Ralph Darling to be colonel.

Unattached: major James Maxwell Wallace to be lieut.-col. of infantry.

Brevet major Robert Simpson, from Portsmouth, to be town major of Hull.

Lieut. Henry White, from Hull, to be town major of Portsmouth.

PROMOTIONS.

ECCLESIASTICAL PREFERMENTS.

Rev. H. V. Bayley (sub-dean of Lincoln) to be archdeacon of Stowe.

Rev. Mr. Troughton, Huntingdon prebend.

Rev. Mr. Carr, minor canon in St. George's-chapel, Windsor.

Rev. W. Barnes, chaplain to the duke of York.

Rev. T. Henshaw, chaplain to duke of Cambridge.

Rev. E. Nepean, chaplain to viscount St. Vincent.

Rev. G. Hodson, chaplain to the bishop of Gloucester.

Rev. W. Dewe, chaplain to his majesty's ship the Cambridge; the rev. T. Quarles, to the Sybille; and the rev. J. S. Cox, to the Spartiate.

Rev. J. Hallewell, chaplain to hon. E. I. company on Madras establishment.

CIVIL PREFERMENTS.

Mr. Alderman Waithman chosen Lord Mayor of London for the ensuing year.

C. Puller, esq. barrister-at-law, to be chief justice of Calcutta.

NOVEMBER.

5. Hon. F. R. Forbes, to be secretary of legation at Lisbon; and P. Brown, esq. to be secretary of legation at Copenhagen.

7. *War-office*.—14th light drag.: lieut.-gen. sir J. O. Vandeleur, K. C. B. to be colonel, *vice* earl of Bridgewater, dec.—39th foot: lieut.-general sir G. Afrey to be colonel, *vice* Balfour, dec.—Major hon. R. P. Arden to be lieut.-colonel of infantry, *vice* major-general Chabot, ret.

10. *Whitehall*.—John Clerk, esq. to be one of the Lords of Session, in Scotland.

14. *Foreign-office*.—Visc. Granville to be ambassador extraordinary and plenipotentiary to the king of the Netherlands.

War-office.—1st or gren. reg. of foot guards: major hon. R. Clements to be captain and lieut.-col.

24th reg. foot lieut.-col. G. C. Fleming to be lieut.-col.

17. *Whitehall*.—The king has been pleased to grant the dignity of a viscount of the United Kingdom of Great Britain and Ireland unto Richard earl of Clancarty, G. C. B. and late his majesty's

ambassador extraordinary and plenipotentiary to the king of the Netherlands, and the heirs male of his body lawfully begotten, by the name, style, and title of viscount Clancarty, of the county of Cork.

21. *Carlton-house*.—Francis Bayley, esq. recorder of the Prince of Wales's Island, knighted.

22. John Chapman (late mayor of Windsor), Griffin Wilson, and Wm. McLeod Bannatyne, esqrs. knighted.

Edward Granville Elliot, esq. to be secretary of legation at Madrid.

29. Charles Harcourt Chambers, esq. knighted.

24. *Whitehall*.—Thomas Le Breton, the younger, esq. to be procurator-general in Jersey, *vice* Dumaresq, dec.

John Wm. Dupré, esq. to be Advocate-general of Jersey, *vice* Le Couteur, resig.

28. *War Office*.—1st or gren. regt. foot guards: lieut.-col. J. G. Woodford to be major with the rank of colonel, *vice* West: capt. J. Lindsay to be capt. and lieut.-colonel, *vice* Woodford.

ECCLESIASTICAL PREFERMENTS.

Rev. Mr. Burgh to be dean of Cloyne. Rev. R. Hood to be dean of Kilmacduagh.

Rev. W. Venables Vernon, M.A. (son of the abp. of York), canon residentiary at York.

Rev. G. Wilkins, Normanton prebend, in the church of Southwell.

Rev. Archd. Wrangham, Ampleforth prebend, at York.

Rev. T. Gaisford, regius professor of Greek, Caddington major prebend, St. Paul's.

Rev. Charles Phillips, B.D. treasurer and canon in cathedral of St. David's.

Hon. and rev. H. Hobart, D.D. (dean of Windsor), Fulmer. V. Bucks.

CIVIL PREFERMENTS.

John lord Carbery to be an Irish representative peer *vice* lord Farham, dec.

Rev. Wyndham Knatchbull, D.D. abp. Laud's professor of Arabic.

Rev. John Warren, rector of Caldecote, Hunts, to be chancellor of Bangor diocese.

Earl Craven recorder of Coventry.

Rev. J. Lamb, B.D. (master of Corpus Christi college), vice-chancellor of Cambridge University.

DEATHS.

DECEMBER.

1. *Office of Ordnance*.—Royal regt. of artillery: col. and lieutenant-gen. E. Stehelin to be col.-commandant, vice Willington, dec.—lieut.-col. R. Beavor to be colonel.

6. *Foreign Office*.—W. Barnes, esq. to be consul at Nantes, and the ports and places in the departments of the Lower Loire and La Vendee.—J. Elliot, esq. to be consul at Dublin for Hanover.

19. *Whitehall*.—John Levy, gent. his Neapolitan majesty's examiner and inspector of Sicilian or Neapolitan prize accounts in England, to resume his family surname of Lumley, in lieu of that of Levy.

MEMBER RETURNED TO PARLIAMENT.

Lincolnshire.—Sir Wm. A. Ingilby, bart. for the county of Lincoln.

ECCLESIASTICAL PREFERMENTS.

Rev. H. C. Jones, rector of Westham, to be archdeacon of Essex.

Rev. Thomas John Burgh, M.A. to be dean of Cloyne.

Rev. Thomas Wilkinson, a minor canon of Carlisle cathedral.

Rev. J. Hanbury, Vicar choral of Hereford-cathedral.

CIVIL PREFERMENTS.

Rev. D. Williams to be head master of Winchester college, vice Gabell, resigned.

DEATHS.

JANUARY.

1. At Sherborne-castle, Oxfordshire, Mary Frances, countess of Macclesfield.

— Sir John Everitt, knut. of Sloane-street, aged 64.

— At his house at Clapton, Sam. Pett, esq. M.D. in his 58th year.

— In Sloane-street, in his 80th year, Patrick Wilkie, esq. late consul at Carthagena.

3. At Brighton, in his 68th year, Dr. Harness, M.D. F.L.S. and late medical commissioner of the Transport-board.

— At Holland-grove, Lancashire, Sarah, the lady of John Alex. Hodges, esq. M.P. for Wigan.

— At Cheltenham, in 74th year, the hon. John Rodney, youngest son of the late right hon. lord Rodney, and brother to the present lord.

— In Clarges-street, Mary Ann, relict of the late lieutenant-gen. Heithersett, of Shropham, Norfolk.

5. At Draycot, Wilts, lady Catherine Tylnay Long, relict of the late sir James Tylnay Long, and aunt to the present earl of Plymouth.

7. At Dawlish, aged 65, lady Carr, relict of sir Robert Carr, bart. of Hampton, Middlesex.

— At Hastings, after a long illness, lady Musgrave, relict of the late sir James Musgrave, bart. of Barnsley, in the county of Gloucester.

— At Hale-hall, near Warrington, Ann, the lady of John Blackburn, esq. M.P. for the county of Lancaster.

Lately, at Crome, the seat of the earl of Coventry, in his 64th year, J. B. Smith, esq. who expired very suddenly. He requested his attendant, who had left him but a short time before in his usual health, to call lord Deerbhurst to him, as he felt exceedingly unwell, and expired shortly afterwards, just as his lordship was entering his apartment.

— At Kensington, viscountess dowager Montague.

— At Beaumont-house, Jersey, the seat of her brother-in-law, Martha, the wife of Charles Pipon, esq. aged 45.

11. In Cheneis-street, Bedford-square, after a painful illness, Mr. M. P. King, an eminent musical composer, aged 50.

— At Walthamstow, Mary, wife of W. N. Lancaster, esq. in her 45th year.

12. At his house, in Skinner-street, Bishopsgate-without, Samuel Nash, esq. twenty-two years common-councilman, of Bishopsgate Ward.

14. In South Audley-street, lady Frederica Stanhope, the lady of the hon. J. H. Stanhope, and eldest daughter of the earl of Mansfield, after her accouchement on the 11th. The infant died the day after its birth.

18. At the Hotwells, Mrs. Judith Barry, aged 80; and on the 22nd, her sister, Mrs. Catherine Barry, aged 90. Both of them underwent the operation of couching in 1813, from which time they retained their sight perfectly.

19. In Piccadilly, Miss Andrews, youngest daughter of the dean of Canterbury.

Lately, at Rochampton, Caroline

DEATHS.

countess dowager of Kingston, in her 69th year.

20. At Hingin Ghaut, 50 miles south of Nagpoor, while proceeding in the execution of his duty from Hydrabad towards Nagpoor, lieut.-col. Wm. Lambton, superintendent of the grand Trigonometrical survey in India.

The Annals of the Royal and Asiatic society bear testimony to the importance of the labours of colonel Lambton, in his measurement of an arc of the meridian in India, extending from Cape Comorin, in lat. 8. 23. 10. to a new base line, measured in lat. 21. 6, near the village of Takoorkera, 15 miles S. E. from the city of Ellichpore. It was the intention of colonel Lambton to have extended the arc to Agra, in which case the meridian line would have passed at short distances from Bhopaul, Serange, Nurwur, Gualiar, and Dholpore.

Though the measurement of the arc of the meridian was the principal object of the labours of colonel Lambton, he extended his operations to the East and West, and the set of triangles covers great part of the Peninsula of India, defining with the utmost precision the situation of a very great number of principal places in latitude, longitude, and elevation; and affording a sure basis for an amended Geographical Map.

22. At Richmond, in his 71st year, the hon. and rev. Harbottle Bucknall, rector of Pitmarsh, and chaplain in ordinary to his majesty.

23. The right hon. lady Aston, daughter of the first, and sister and co-heir of the second earl of Northington, and relict of sir Willoughby Aston, aged 74.

24. At Nottingham, aged 78, Mrs. Henrietta Tempest, third sister of the late major Tempest, and grand-daughter of the late sir George Tempest, of Tong-hall, Yorkshire.

— In his 73rd year, John Finlay, esq. late M.P. for the county of Dublin, and lieut.-colonel of the county of Dublin militia.

25. The hon. Thos. Mullins, third son of the right hon. lord Ventry, of Barnham, in the county of Kerry, Ireland.

— Aged 72, Sarah, relict of William Winchester, esq. of Cecil-street, Strand.

— At Willesden-house, Middlesex, sir Rupert George, bart. aged 74.

— Suddenly, in a carriage in which

he was going to the Opera, Peter Bayley, esq. of Cumberland-place, New-road, editor of the "Museum." It was deposed on the coroner's Inquest, that his death was occasioned by the bursting of an aneurism of the aorta, from which an effusion of nearly two pints of blood had taken place in the chest. Mr. Bayley was author of a poem intituled, "Sketches from St. George's Fields'."

26. At his house, at Berkeley, in his 76th year, Edward Jenner, esq. M.D. the discoverer of Vaccination.

The doctor not appearing at the breakfast-table about his usual time, on Saturday the 25th, his servant was sent to call him; and found him, lying on the floor, in a severe fit of apoplexy. His nephew, who is of the medical profession, immediately bled him, and another relative rode to Gloucester to fetch Dr. Baron. Dr. B. accompanied by Mr. Shrapnell, surgeon of the South Gloucester militia, hastened to Berkeley. They found the symptoms most formidable, and every effort, which skill could suggest, was employed in vain. The patient continued in a state of total insensibility till about two o'clock on Sunday morning, when he expired.

Dr. Jenner was M.D. LL.D. F.R.S. M.V.I.F. &c.; a physician extraordinary to the king, and a magistrate of the county of Gloucester. Nature had given him great genius, vast sagacity, much inclination for, and great ardour in the prosecution of his subjects of Natural History, Physiology, and Pathology. At an early age he was destined to the study of one department of the medical profession, *Surgery*. In the commencement of his studies, he associated with many eminent characters, Dr. Parry, of Bath, Dr. Hickeys, of Gloucester, and Dr. Ludlow, of Corsham, near Bath; and he was honoured with the peculiar friendship and patronage of the late Mr. John Hunter, who, aware of the extraordinary talents of Dr. Jenner, then a pupil, offered to him patronage, connexion, and employment, in his professional and physiological pursuits. Dr. Jenner, however, preferred a residence at his native place, Berkeley, where he acquired both high local reputation, and great estimation among philosophers and medical professors. After some less important communications to the royal society of London (of which he

DEATHS.

was early made a member), he imparted to them, a complete *Natural History of the Cuckoo*. Dr. Jenner also communicated to his youthful friend and colleague, Dr. Parry of Bath, his discovery of the internal diseased structure of the heart, which produces the disease called *Angina Pectoris*, and which was before unknown and conjectural. After a long and arduous inquiry into the disease termed Cow Pox, which is a common complaint in cows in Gloucestershire, and some other counties, and which, to those who receive it from the cows in milking, appears from long existing tradition, to confer complete security from Small Pox, either natural or inoculated, Dr. Jenner determined to put the fact to the test of experiment, and accordingly, in 1797, inoculated some young persons with matter taken from the disease in the cows. From the proof of the powers which these experiments afforded, of the Cow Pox inoculation to protect the human being from Small Pox contagion, Dr. Jenner was induced to bring this inestimable fact before the public in 1798. This discovery he promulgated with all the simplicity of a philosopher, and with all the disinterestedness of a philanthropist.

His remains were interred at Berkeley, Feb. 3rd, followed by an immense concourse of persons.

27. At his house, in Bedford-row, in his 86th year, Charles Hutton, LL.D. F.R.S. Dr. Hutton was a native of Newcastle-upon-Tyne, where he was born in 1737. At an early age he opened a school in the place of his birth; and in 1764 published his first volume, "A Practical Treatise on Arithmetic and Book-keeping." To this a Key for the use of Tutors was afterwards added; and, in 1768, appeared his quarto Treatise on Mensuration, which led to his election to the Royal Society, and his appointment at Woolwich, which he held till 1807, and then retired on account of ill health, with a liberal and well-merited pension from government, and a just eulogy from the Board of Ordnance, the department best acquainted with his services. Dr. Hutton was for some time foreign secretary to the Royal Society; but when sir Joseph Banks succeeded to sir John Pringle in its presidency, a misunderstanding arose, and the doctor was deprived of his office. Besides the works already mentioned, Dr. Hutton published *The*

Principles of Bridges, 8vo. 1772; *The Diarian Miscellany*, 5 vols. 12mo.; a Selection of useful and entertaining Parts from the Ladies' Diary, of which he was for a long time editor; *Elements of the Conic Sections*, 8vo. 1777; *Tables of the Products and Powers of Numbers*, folio, 1784; *Mathematical Tables (Logarithms)*, 1785—five editions to 1811; *Tables of Interest*, 8vo, 1786; *Tracts, Mathematical and Philosophical*, 4to. same year; *Compendious Measurer*, 12mo, *id.*; *Mathematical and Philosophical Dictionary*, 2 vols. 4to. 1796; and many other treatises on Mathematics, Projectiles, and Philosophy. As a proof how little his extraordinary abilities were impaired, either by advanced age or the languor of illness, it may be mentioned, that, almost in his very last moments, he drew up a paper in reply to the scientific questions proposed to him by the Bridge-house committee, relative to the curves most proper to be employed for the arches of the projected New London Bridge. The immediate cause of his decease was a cold, that affected his lungs, and carried him off apparently without pain. His remains were interred on February 4, in the family vault at Charlton, in Kent.

29. At Woodlands, Blackheath, at the advanced age of 91, John Julius Angerstein, esq. of Pall-mall. This gentleman, was born at St. Petersburg, in the year 1735. About 1749 he came to England, under the patronage of the late Andrew Thompson, esq. an opulent Russian merchant. In that gentleman's counting-house he remained for some time, and, when he came of age, he was introduced to Lloyd's by his patron. With good natural abilities and unwearied application, Mr. Angerstein quickly became celebrated as a broker and underwriter. His subscription to a policy was quite sufficient to induce other underwriters to add their names. In such repute were his policies, that, for some years after, they were called *Julians*, as a mark of distinction. It is, therefore, not surprising, that he at length reached the summit of commercial fame and prosperity; his reputation being spread to all quarters where commerce is known. In public loans his list was always ranked among the first, and monied men were anxious to obtain a place in it. Nor were his exertions confined only to his

190 ANNUAL REGISTER, 1823.

DEATHS.

own benefit. The frequenters of Lloyd's Coffee-house owe to his strenuous efforts the accommodations which they at present enjoy. He was the proposer of the issue of Exchequer Bills in 1793, by which, at a critical moment, relief was afforded to trade. The Veterinary college would, perhaps, have sunk to the ground, had he not made a vigorous effort in its favour, at a moment when its funds were nearly exhausted; and he was the first to propose, from the fund at Lloyd's, a reward of two thousand pounds to that meritorious discovery, the life-boast. It is no slight proof of his worth, that he enjoyed the friendship of Dr. Johnson, sir Joshua Reynolds, Garrick, Jonas Hanway, and many other eminent contemporaries. As a patron of art he ranked high. His collection in Pall-mall contained some of the finest works of the foreign and British artists.

— At his residence, in the Regent's-park, Lucius Concannon, esq. M.P. for Winchester.

31. At her house, at St. Stephen's, near St. Alban's, Miss Sheffield, daughter of the late sir Charles Sheffield, and aunt to the present sir Robert Sheffield, bart. Normanby-hall, Lincolnshire.

FEBRUARY.

1. At Calcutta, sir Robert Henry Blosset, knt. lord chief justice of Calcutta, formerly an eminent counsel upon the Norfolk circuit, and deputy recorder of Cambridge. He was appointed lord chief justice of Calcutta, and received the honour of knighthood, in 1822.

At North Cray, Kent, in his 86th year, the rev. Thomas Moore, rector for fifty-seven years of that parish, and the adjoining one of Foot's Cray.

2. In Piccadilly, Magdalene countess dowager of Dysart.

— At Cole, St. Aldwin's, near Fairford, Gloucestershire, in his 70th year, general Lister, late colonel of the 45th regt. and governor of Landguard Fort.

3. In Upper Charlotte-street, Fitzroy-square, in his 92nd year, the rev. James Jones, D. D. chancellor of the diocese of Hereford.

— Aged 89, the rev. J. Cooke, D. D. nearly forty years president of Corpus

Christi college, rector of Woodstock and Begbroke, and for about fifty years an active magistrate for the county of Oxford.

5. In Harley-street, lady Rumbold, relict of sir Thomas Rumbold, bart. and daughter of Dr. Edmund Law, bishop of Carlisle.

7. In Stafford-row, Finsbury, Mrs. Anne Radcliffe, long known and admired by the literary world, as the author of some romances, which have been translated into every European tongue. Her first work was *Athlin and Dumblaine*, her second *The Romance of the Forest*, and her third *The Sicilian Romance*, which established her fame as an elegant and original writer. Her next production, published in 1793, was the famous *Mysteries of Udolpho*, for which the Robinsons gave her 1000*l.*, and were well repaid for their speculation, the work being universally sought for, and many large editions rapidly sold. In 1794, Mrs. Radcliffe gave to the world a *Narrative of her Travels in France, Germany, and Italy*; but in describing matters of fact, her writings were not equally favoured. Some years after, Cadell and Davies gave her 1500*l.* for her *Italian*, which, though generally read, did not increase her reputation. The anonymous criticisms which appeared upon this work, the imitations of her style and manner by various literary adventurers, the publication of some other novels under a name slightly varied for the purpose of imposing on the public, and the flippant use of the term "Radcliffe school," by scribblers of all classes, tended to disgust her with the world, and to create a depression of spirits, which led her for many years to seclude herself from society. Her loss of spirits was followed by ill health, and the only solace of her latter years was the unwearied attentions of an affectionate husband, whose good intelligence enabled him to appreciate her extraordinary worth. In one of the most cheerful situations round the metropolis, under a gradual decay of her mental and bodily powers, this intellectual ornament of her sex expired in the 62nd year of her age. In person, Mrs. Radcliffe was of diminutive size; and, during the prime of her life, when she mixed in company, her conversation was vivacious, and unalloyed by the pedantic formality, which too often characterizes the manners of literary ladies.

DEATHS.

8. Robert Blake, esq. M. P. for Arundel.

10. At Moria-place, Southampton, aged 70, Mrs. Young, relict of the late John Young, esq. professor of Greek at the University of Glasgow.

14. At Camberwell, James Poole, esq. of the Seal office, Inner Temple.

— In Guilford-street, in her 81st year, Mrs. Tooke, relict of the late rev. W. Tooke.

15. In Bryanstone-square, aged 94, the rev. Richard Roberts, D. D., late head-master of St. Paul's school.

— At Friar's-hall, near Melrose, in his 41st year, the right hon. Richard Barré Dunning, 2nd baron of Ashburton, co. Devon. He was youngest but only surviving son of John 1st lord, by Elizabeth, daughter of John Baring, esq. of Larkbear, co. Devon, and was born Sept. 20, 1782. On the death of his father, the celebrated Dunning, Aug. 18, 1783, he (then only eleven months old) succeeded to the title and estates. He married Sept. 17, 1805, Anne, daughter of the late William Cunningham, esq. of Lainslaw, but leaving no issue, the title becomes extinct. His lordship was a kind and steady benefactor to all the poor in the neighbourhood of his romantic seat of Roseshall, and spent annually large sums of money in beautifying and improving his property there, whereby he gave constant employment to all his industrious tenants.

20. At Chelsea, lady Lydia Turnour, daughter of the late earl, and of Ann, countess of Winterton, and granddaughter to Thomas lord Archer.

21. At Hertbury, near Gloucester, in her 47th year, Catherine, lady of Robert Canning, esq. of Hinlip, Worcester; and grand-daughter and co-heiress of the late sir Walter Abingdon Compton, bart.

23. Miss Lucy Burch, only sister of J. R. Burch, esq. of Brandon, Suffolk, late M. P. for Thetford.

24. In George-street, Portman-square, lady Laforey, relict of vice-admiral sir John Laforey, bart.

26. Near Lausanne, J. P. Kemble, esq. in his 66th year. On the 24th, he rose in tolerable health, and went to an adjoining room to speak to Mrs. Kemble; returning to his room, Mrs. Kemble noticed that he tottered in his gait, and assisted him to his chair; Dr. Schole was sent for, who found him exhibiting

very unfavourable symptoms—his left side had suffered a decided attack of apoplexy, and he could with difficulty articulate.

Dr. Schole, with the assistance of his old attached servant George, helped him to his bed, and, in the act of conducting him there, a second attack took place, so suddenly, that his clothes were obliged to be cut asunder, in order that he might the more speedily be let blood. But nature was fast exhausting; nor could he ever make use of his speech, with the exception of a few words which he had uttered on Dr. Schole's arrival. He, however, assented or dissented by signs of the head, until within two hours of his complete extinction. In fine, a third attack, on Wednesday the 26th, just 48 hours after the first, proved fatal. He had imagined that the climate of Italy would prove beneficial to his health; but having arrived in Rome three months before, at an unfavourable season, he became worse and worse, so that the English physician, Dr. Clarke, hurried him away to return to Lausanne, where he had been comparatively well. His occupations were his books and his garden—the latter was his predilection; it was resorted to by him with the first rays of the sun, and kept in a state of cultivation rarely to be surpassed.

He was the eldest son of Mr. Roger Kemble, and was born in 1757, at Prescott, in Lancashire. He received the first part of his education at the Roman Catholic seminary at Sedgeley Park, in Staffordshire, and was afterwards sent to the University of Douay to be qualified for one of the learned professions. Here he soon became distinguished for that talent of elocution, which afterwards raised him to such eminence. Having finished his academical studies, he returned to England, and, preferring the stage to either of the professions for which he had been intended, he performed at Liverpool, York, and Edinburgh. While at York, Mr. Kemble introduced a new species of entertainment, consisting of recitations of some of the Odes of Mason, Collins, and Gray; the tales of *Le Fœvre* and *Marie*, from *Sterne*; and other popular pieces in prose and verse. In these he was particularly successful. In Edinburgh he delivered a Lecture, of his own composition, on *Sacred and Profane Oratory*, which gained him some reputation

DEATHS.

among men of letters. He afterwards performed for two years with flattering success in Dublin. Mr. Kemble made his first appearance in London, at Drury-lane Theatre, in the character of Hamlet, Sept. 30, 1783. His reception was most encouraging; but he had not an opportunity of fully developing his powers, till the retirement of Mr. Smith, in 1788, who had been in possession of almost all the principal parts both in tragedy and comedy. On the secession of Mr. King, Mr. Kemble became manager of Drury-lane Theatre, which office he filled till 1796. Shortly afterwards he resumed the management, and held it till the conclusion of the season 1800-1. In 1802 Mr. Kemble visited the Continent, for the purpose of introducing to the British stage whatever he might find worthy of adoption in foreign theatres, and spent a twelve-month at Paris and Madrid. On his return he purchased a sixth part of the property of Covent Garden patent, and became manager of that Theatre; which situation he filled till a season or two before his retirement. During his management in London, Mr. Kemble revived several pieces of merit, and adapted others to the taste of modern times. He was the author of *Belisarius*, a tragedy which was acted at Hull in 1778, but never printed; the *Female Officer*, a farce, acted at York in 1779, not printed; *O! it's Impossible!* (altered from the *Comedy of Errors*) a comedy performed at York 1780, but never printed; the *Pannel*, a farce, taken from *Bickerstaff's 'Tis well it's no Worse*; the *Farm-House*, a comedy; *Love in many Masks*, a comedy; *Lodoiska*, a musical romance; *Celadon and Florimel*, a comedy, not printed. Mr. Kemble also published, about the year 1780, a small collection of verses, under the title of "*Fugitive Pieces*." They were juvenile productions, and it is said that the very day after their publication, he was so discontented with them when in print, that he destroyed every copy he could procure; some few, however, escaped the general immolation, and one of them, at a sale a few years since, fetched 3*l.* 5*s.*

27. In consequence of a fit of apoplexy with which he was seized while walking in his garden, the preceding Sunday, the rev. Charles Talbot, Dean of Salisbury, youngest son of the late hon. and rev. Dr. Talbot.

— At Frome-house, in Dorsetshire, Nicholas Gould, esq. one of the oldest families of that county, and brother of the late countess of Stafford.

MARCH.

2. In his 64th year, Charles Drummond, esq. banker, Charing-cross, after undergoing an operation for the stone three days previously.

— At her residence, Stoke-cottage, near Guildford, aged 84, lady Burnaby, relict of admiral sir W. Burnaby, bart. of Broughton-hall, Oxfordshire.

3. At her house, in Stratton-street, Mrs. Craufurd, relict of major-general Cutlin Craufurd.

— At Rolls-park, after a few days' illness, and after having just completed his 21st year, Wm. Harvey, esq. only surviving son of admiral sir Eliot Harvey, M.P. for Essex.

8. In Lower Brook-street, sir William Duff Gordon, bart., many years representative in parliament for the city of Worcester.

— In Somerset-street, Portman-square, in her 71st year, Mary, countess dowager of Roseberry.

10. At his house, Charlotte-street, Bloomsbury, after a short illness, the rev. W. Bingley, A.M. F.L.S. author of *Animal Biography*, *Useful Knowledge*, and various other works of instruction.

— At Reading, in his 80th year, Richard Maul, esq.

— At Borough-Bridge-hall, Yorkshire, aged 31, Marmaduke Lawson, esq. late M.P. for Borough Bridge.

11. At Brighton, Mrs. Gale, relict of lieutenant-general Henry Richmond Gale, of Bardsea-hall, Lancashire.

12. At his house in Dean-street, May Fair, after a few days' illness, lieutenant. H. M. Gordon.

— In Sloane-street, in his 67th year, Baron Best, one of his majesty's Hanoverian councillors, K.C.H. and F.R.S.

13. At Rochett's, near Brentwood, in his 89th year, the right hon. John Jervis, earl St. Vincent, G.C.B. His lordship was made post-captain, April 14, 1786; rear admiral of the blue, December 3, 1790; vice admiral, April 15, 1794; Admiral, February 14, 1799, and admiral of the fleet, July 19, 1811. He was also appointed general of the royal marines, May 7, 1814.

14. At Turville-park, near Henley-upon-Thames, in his 86th year, the celebrated general Dumouriez

DEATHS.

16 At Aldborough, in the county of Norfolk, Geo. Rising, esq.

18. At his house in Berkeley-square, Geo. N. Vincent, esq.

— In Bolton-row, May Fair, general James Balfour, of the 83rd regiment of foot.

— At Ashford-lodge, Halstead, in his 24th year, Angelo, youngest son of Firmin De Tastet, esq.

20. In Half-Moon-street, general the right hon. sir George Beckwith, G.C.B. colonel of the 89th regiment.

— At Torquay, Devon, Charlotte, wife of Grenville Pigott, esq. of Dodderhall-park, Bucks, youngest daughter of Edward Long, esq. of Hampton-lodge, Surry.

— At Kincardine, the right hon. Geo. viscount Keith, admiral of the red, G.C.B. &c. in his 76th year. His lordship was son of the late Charles lord Elphinstone. He was born in the year 1747. His promotion, as post-captain, bears date May 11, 1775; and the following year he was appointed to the *Pearl* frigate of thirty-two guns, in which vessel he served in America, under the orders of lord Howe; and afterwards in the *Perseus* frigate, under admiral Arbuthnot. At the reduction of Charlestown, he commanded a detachment of seamen on shore, and received the official praise of general Clinton. On his return from America, captain Elphinstone was appointed to the *Warwick* of fifty guns, in which vessel he fell in with, and captured, the *Rotterdam*, a Dutch man-of-war, of equal force; and some time after, *L'Aigle*, a French frigate, of forty guns and 600 men. On the commencement of the war with France, in the year 1793, he was appointed to command the *Robust* of seventy-four guns, one of the squadron under lord Hood, which sailed for the Mediterranean in the month of May. In the arduous and difficult post of governor of Fort la Malgue, and commander of the troops landed at Toulon, captain Elphinstone displayed consummate knowledge of military tactics. When it became unavoidably necessary that Toulon should be evacuated, the care of embarking the artillery, stores, and troops, was committed to captain Elphinstone. For some other important services, he was, in 1797, created a baron of the kingdom of Ireland, by the title of lord Keith, and for a short time commanded a de-

tachment of the Channel fleet. In the summer of the following year, he succeeded earl St. Vincent in the command of the fleet in the Mediterranean; and soon after, had the misfortune to lose his ship, the *Queen Charlotte*, in the Bay of Genoa, by an accidental fire. On the 1st of January, 1801, lord Keith was advanced to be admiral of the blue; he, at this time, commanded the naval force employed against the French on the coast of Egypt. His conduct on this important station, was fully equal to the high promise it had held forth. In 1803, lord Keith commanded on the Downs station; and subsequently the Channel fleet, in 1814. He left a daughter, married to a French general.

21. At the earl of Liverpool's, Whitehall, lieut.-colonel Jenkinson, in his 41st year.

24. In Berkeley-square, lady Marianne Smith, wife of Abel Smith, esq. M.P. and sister to the earl of Leven and Melville.

25. John Haighton, esq. M.D. F.R.S. many years lecturer on midwifery and physiology in the Medical Schools of the United Hospitals, Southwark.

28. Sir Islay Campbell, in the eighty-ninth year of his age. He was born on the 23rd of August, 1734. He was the eldest son of Archibald Campbell of Snecoth, and his mother was the daughter and representative of Wallace of Ellersly, a branch of the family of sir William Wallace. He came to the bar in 1757—was made solicitor-general in 1763—lord advocate in 1784—and was soon after chosen member for the Glasgow district of burghs, which he continued to represent in parliament, taking an active share in all the important transactions of the time, until he was raised to the chair of president of the court of session in 1789. In 1794, he was placed at the head of the commission of oyer and terminer, issued at that disturbed period for the trial of those accused of high treason in Scotland. He continued to hold the situation of president of the court of session for upwards of nineteen years, and resigned his high office in autumn 1806. The faculties of his mind remaining entire, he was afterwards chosen to preside over the two different commissions for inquiring into the state of the courts of law in Scotland.

29. In Bedford-square, Brighton, in

DEATHS.

his 74th year, sir John Eamer, knight, one of the aldermen for the city of London; in which office he was succeeded by Mr. J. Key.

— At Pirbright Lodge, Surrey, in his 75th year, Andrew Stirling, esq. of Drumpellier, Lanarkshire.

— At his lodge, in Downing College, E. Christian, esq. of Gray's Inn, barrister-at-law, chief justice of the Isle of Ely, Downing professor of the laws of England, in the University of Cambridge, professor of general polity, and the laws of England, in the East India College, Hertford, and a commissioner of bankrupts. He was formerly fellow of St. John's College, B. A. 1779, M. A. 1782, and was distinguished for his classical acquirements, having obtained the Chancellor's medal in 1779. He published—"Examination of Precedents and Principles, from which it appears that an impeachment is determined by a dissolution of Parliament," 1790, 8vo.; "Dissertation showing that the House of Lords in (cases of judicature) is bound by precisely the same rules of evidence as are observed by all other courts," 1792, 8vo.; "Blackstone's Commentaries, with notes and additions," 12th ed. 4 vols. 8vo. 1795, 16th edit.; "A Syllabus of Lectures delivered in the University of Cambridge," 1797, 8vo.; "Charge to the Grand Jury at the Assizes held at Ely, March 9," 1804, 4to.; "Account of the Origin of the two Houses of parliament, with a Statement of the Privileges of the House of Commons," 1810, 8vo.; "Origin, Progress, and present State of the Bankrupt Laws in England," 1812, 2 vols. 8vo.; "Instructions on a Commission of Bankrupt," 8vo.; "Treatise on the Game Laws," 8vo.; "Plan for a Country Provident Bank; with Observations upon Provident Institutions already established," 1816, 8vo.

31. At Cambridge, after an illness of only three days, sir Corbet Corbet, bart. of Adderley-hall, Shropshire, and M. A. of Trinity College.

In Prince's-street, Edinburgh, in his 93rd year, Robert Craig, esq. of Riccarton, the last male heir of sir Thomas Craig, of Riccarton, the great feudal lawyer of Scotland. Mr. Craig was admitted advocate in 1754, and was one of the commissaries of Edinburgh, which office he resigned many years ago. It is remarkable, that his father's elder

brother succeeded to the estate of Riccarton in January 1681, so that there has been only one descent in the family for 142 years.

At Belan, in the county of Kildare, the right hon. John Stratford, earl of Aldborough.

In Kildare-street, Dublin, sir Thomas Bond, bart. in his 46th year.

At Nice, where he had gone for the recovery of his health, the hon. Edward Spencer Cowper, brother of earl Cowper.

At Tours, in consequence of a fall from his horse, S. Atterson, esq. late of Portland-place.

At Abbeville, on his way to Paris, aged 20, lord Caulfield, only son of the earl of Charlemont.

At Ghent, sir Thomas Constable, bart. of Tixall, Staffordshire, and Burton Constable, Yorkshire.

At Calcutta, in his 38th year, of an attack of cholera morbus, archdeacon Loring.

At Paris, Robt. Heathcote, esq. brother of sir Gilbert Heathcote, bart.

At Malta, Stephen Gaisford, esq. of the Ordnance Medical Department.

At St. Christopher's, aged 26, Mrs. Maxwell, lady of Chas. Maxwell, esq. governor of that island, only daughter of colonel Douglas, of Annan, and first cousin of the marquis of Queensberry.

At Rome, Charlotte, the lady of Joseph Jellicoe, esq. of London, merchant, and second daughter of Egerton Leigh, esq. of High Leigh and Twemlow, in the county of Cheshire.

At Versailles, lady Smyth, relict of the late sir Robert, and mother of sir George Smyth, bart. of Berechurch Hall, Essex.

APRIL.

2. In Beaumont-street, in his 80th year, captain Aulherne.

— At her father's seat, Burwood Park, Mary, the lady of James C. Tyler, esq. of Twickenham, Middlesex, and third daughter of sir John Frederick, bart.

Lately, at Grillon's Hotel, Albemarle-street, in his 49th year, sir Thomas Webb, bart.

5. At Reading, the rev. W. J. Mansel, (eldest son of sir W. Mansel, bart.) rector of Ellesborough, Bucks, and Hithe, Oxfordshire.

7. In Portland-place, the rev. Dr.

DEATHS.

Price, prebendary of Durham, and canon residentiary of Salisbury.

— At his house in Saville-row, sir George Gunning, bart.

— At Brompton, aged 19, the youngest daughter of sir James Mackintosh.

10. Edward Berkeley Portman, esq. of Bryanstone-house, Dorsetshire, during many years M. P. for the county of Dorset. His remains were deposited in the family vault at Bryanstone on the 16th.

11. At Clifton, near Bristol, lady Anna Owen, of Portman-square, London, mother of the late sir Hugh Owen, bart. of Oriulton, Pembroke.

— At her seat in Wales, in her 61st year, the right hon. Diana, baroness Barham, wife of sir Gerard Noel Noel, bart. M. P.

13. At her house in Harley-street, Mrs. Leighton, eldest daughter of the late general Francis Leighton, and grand-daughter of sir Edward Leighton, bart. of Wattlesbury, in the county of Salop,

16. At Great Malvern, Worcestershire, after a long illness, Mrs. Bathurst, the lady of the right rev. the lord bishop of Norwich.

18. At St. John's rectory, Southwark, in his 68th year, the rev. W. Jarvis Abdy, A. M. more than forty years resident minister of that parish.

19. At his residence, in Montague-square, sir Charles Bampfylde, bart. in consequence of a wound received on the 7th, from a pistol shot, which entered his side. The murderer, J. Morland, a person formerly in sir Charles's service, upon seeing that his aim had taken effect, put a second pistol into his own mouth and destroyed himself. Sir Charles belonged to one of the oldest and most distinguished families in Devonshire, and was the twenty-second baronet. He married Miss Moore (daughter of sir John Moore, bart. K.B. admiral of the red), who survives him, but they had not lived together for several years. By this lady he had one son, who succeeds to the title and estates.

21. At East-hill, Wandsworth, Charles Warren, esq. of Constitution-row, Gray's Inn-road. He expired very suddenly while in conversation, his death being occasioned by an enlargement of the heart. As an engraver, he ranked high in his profession.

23. At his house in Soho-square, in his 74th year, A. Arrowsmith, esq. the

celebrated constructor of maps and charts.

— In Mortimer-street, Cavendish-square, in his 86th year, Joseph Nollekens, esq. R. A. an eminent sculptor. He is said to have left behind him property amounting to 300,000*l.*, amassed by habits of strict parsimony, or rather penuriousness. He bequeathed 50,000*l.* to Dr. Kenrick, public librarian at Cambridge; and a similar sum to Francis Douce, esq. the able antiquary, and illustrator of Shakspeare. The latter gentleman is also left residuary legatee.

24. Aged 69, Mr. Thomas Simpson, 41 years resident engineer of the Chelsea water-works. Mr. Simpson was the friend of Rennie and Watts, and contributed greatly towards that distinction which the civil engineers of this country enjoy. He was the projector of the Lambeth water-works: Glasgow and Liverpool also have both profited by his ingenuity, while London is in no small degree indebted to him for the pure water with which it is supplied. He was a native of Black-hall, in Cumberland.

25. At his seat, Himley-hall, in the county of Staffordshire, aged 74, William, viscount Dudley and Ward, who is succeeded by his only son John William.

26. Bryan William Darwin Cooke, esq. of Alverley Grange, in the county of York.

— Aged 30, Mr. R. W. Wynn, a young artist of considerable promise. His death was occasioned by his gun accidentally going off, while he was shooting near Hornsey-wood: he survived the accident but a few hours.

— At Chelsea, aged 69, Mrs. Reinagle, wife of P. Reinagle, esq. R. A.

27. In Newgate-street, George Winter, esq. many years common-councilman for the ward of Farringdon.

— In Brunswick-square, the lady of W. Reader, esq. barrister at law.

— At Dura, on board his majesty's ship Cyrene, doctor Andrew Nicoll, deputy Inspector of Hospitals, and chief medical officer on the coast of Africa.

Doctor Nicoll was the son of Mr. David Nicoll, a creditable farmer in the parish of Seggie, near St. Andrew's, Fifeshire, in Scotland. He received the rudiments of his education in the parish where he was born, and completed his classical studies at the University of Edinburgh, where he entered

DEATHS.

himself a student of Humanity and of Medicine in 1807. Having completed his term of study, he graduated in 1810; and was, almost immediately afterwards, appointed assistant surgeon to the 80th regiment, then on the Madras establishment, which he joined in the following year. It was on this stage that doctor Nicoll first displayed his professional talents, both in his care of the regiment, which soon devolved on him, owing to the ill health of the Surgeon, and as an acute and accurate observer of the effects of climate and situation on the animal economy, in a memorial on liver disease.

The high estimation in which he was held by the medical board was acknowledged in a public communication, addressed to him on his leaving India, stating the regret of its members, that one so well calculated to investigate and throw light upon Indian diseases should be withdrawn from the field of inquiry. The constant attention of doctor Nicoll to the sufferings of the sick soldier led him to suggest many things for his comfort, and, amongst others, to invent an excellent, cheap vapour-bath, which has been found of the greatest utility in the treatment of several diseases, and particularly chronic rheumatism, a malady from which soldiers suffer severely on returning home from a warm climate.

Soon after his arrival in England, doctor Nicoll left the 80th regiment, of which he was still only assistant surgeon, and continued for nearly a year not officially employed, filling up his time with acquiring a knowledge of Mineralogy, Botany, and Natural History, in order to qualify him for any situation abroad to which he might be appointed. His talents did not long remain unobserved by sir James Mac-Gregor, the director-general, who, conceiving that he was well adapted to prove useful in a quarter of the world which had excited much public attention, and considering also that he was prepared to withstand the unwholesomeness of a tropical climate by his previous residence in India, appointed him to the situation of principal medical officer at Sierra Leone, where he arrived in December 1818.

The impulse which doctor Nicoll's energy, activity, and industry produced in the medical department over which he presided in Africa, was soon con-

spicuous. The junior medical officers, who had previously merely attended to their duties of visiting and prescribing for the sick, were roused to direct their attention, not only to the effects of climate on the constitutions of the troops, but to the topography of the places where they were stationed; to cultivate Mineralogy and Botany; to collect and preserve objects of Natural History, and to keep regular Meteorological tables. Quarterly reports were demanded from each establishment on the Coast; and these were embodied by doctor Nicoll in general half-yearly reports.

29. In Sloane-street, capt. T. Hurd, R.N. Hydrographer to the Board of Admiralty.

— At his house, in Great Cumberland-place, lieutenant-general Vere Warner Hussey, aged 76.

— At Worcester, col. James Wemyss, of the royal marines, and father of col. Wemyss, late of the 50th regt. This officer lost an arm at the battle of Trafalgar.

Lately at Glasgow, Dr. Taylor, one of the ministers of the High-church, and principal of the college in that city.

At Courtown, the countess of Courtown.

At Paris, aged 60, colonel Thornton, of Thornville Royal, Yorkshire, the celebrated sportsman, author of a Sporting Tour through the North of England and the Highlands of Scotland, 1804, and of a Sporting Tour through France, 1806.

In Canada, Thomas Scott, esq. Paymaster of his majesty's 70th regiment; brother to sir Walter Scott. He had been serving with this regiment in Canada, since the commencement of the late American war.

MAY.

1. At Hill-hall, Essex, in his 78th year, col. sir W. Smyth, bart.

— At his residence, in the Greenpark, lord W. Gordon.

2. At Cheltenham, in his 80th year, the right hon. Sylvester Douglas, lord Glenbervie, after an illness of two months.

He was the son of John Douglas, esq. of Fehil, Aberdeenshire; was educated at the University of Aberdeen, and originally intended for a physician. But

DEATHS.

he changed his intention, came to London, studied the law, and was called to the bar. Like most young barristers, he applied himself to a particular branch of the profession; he attended the committees of the House of Commons on election affairs, constituted by Mr. Grenville's bill; and in 1777 published a "History of the cases of controverted Elections determined during the Fourteenth Parliament of Great Britain," 4 vols. 8vo., which reached a second edition in 1802. This work brought him into note, and some practice in election concerns. He then relinquished those reports to younger barristers, and published "Reports of cases determined in the court of King's Bench in the 19th, 20th, and 21st, George 3rd." folio, 1782. Mr. Douglas continued at the bar till he married lady Anne North, daughter of the prime minister North, which introduced him into political life. He was made a king's counsel, nominated to a variety of offices in succession, introduced into parliament, and appointed by the interest of his father-in-law, chief secretary in Ireland, and afterwards a commissioner of the treasury. He resided some years in Ireland, and in 1801, was created a peer of that kingdom, by the title of baron Glenbervie. After this elevation he enjoyed several lucrative places: he became joint paymaster of the army; then, in 1803, surveyor-general of the king's woods and forests, which he resigned in 1805, and was re-appointed in 1807. He next was appointed a commissioner for the affairs of India, and acted for some time as vice-president of the Board of Trade. By lady Anne, who is deceased, he had one son, who distinguished himself by writing "A Comparison between the Ancient and Modern Greeks," and sat in parliament for the family borough of Banbury, but died two years ago.

Besides an account of the Tokay and other wines of Hungary, in the Philosophical Transactions for 1773, he published "Lyric Poems," written by the late James Mercer, esq. who had married his sister, to which a life of the author was prefixed, and an account of his own family. Lord Glenbervie also translated the first canto of "Ricciardetto," a humorous Italian poem, by Fortiguerra, with an introduction concerning the principal romantic, burlesque, and mock-heroic poets; and notes

critical and philological. This work, was published only in the last year of his life.

3. At Newcastle-upon-Tyne, Mrs. B. Scott, sister to the lord Chancellor, and to lord Stowell.

— Suddenly, although after some previous indisposition, Mr. G. Carr, prompter of Drury-lane theatre.

4. At his apartments, Frith-street, Soho, major M. Sutton, of the late 97th, or Queen's own regiment, an officer of distinguished merit, who, after many years of active service, in the West Indies, Mediterranean, Egypt, Portugal, &c. was afflicted with a total loss of sight, whilst serving under the duke of Wellington.

15. At Houghton-le-Skerne, in the county of Durham, in her 47th year, Margaret, widow of the late rev. T. Le Mesurier, rector of that place.

16. At his chambers, in the Middle Temple, in his 73rd year, W. Lambe, esq. formerly of Pontefract, in the county of York, but for many years past of Tilgate-house, in the parish of Worth, Sussex, an acting magistrate for that district, and a bencher of the hon. society of Gray's Inn.

— At Oxford, aged 72, the rev. George Thompson, D.D. principal of Edmund-hall, in that University, and Vicar of Bromley and the united parishes of Milford and Hordle, Hants.

20. At Doddington, Gloucestershire, Anna Maria, fifth daughter of sir Christopher, and lady Bethel Codrington.

25. In Grosvenor-place, Mrs. Bayard, relict of the late major-general John Bayard, and daughter of the late Andrew Moffatt, esq. of Cranbrook-hall, in the county of Essex.

27. Aged 75, Mr. Francis Clater, of East Retford, author of "Every Man his own Farrier," and the "Cattle Doctor."

30. At Walton, Warwickshire, sir Charles Mordaunt, bart.

Lately, at Lasswade-hill, near Edinburgh, lady Jane Mary Boyle, daughter of John, late earl of Glasgow.

At Dublin, H. D. Villiers, esq.

At Piercy-mount, Sligo, lady Gethin, the wife of sir Piercy Gethin, bart.

At Cavendish-row, Dublin, after an illness of some weeks, the venerable Dr. Thomas John Troy, Roman Catholic archbishop of Dublin. He was born in that city in 1739; appointed bishop in

DEATHS.

December, 1776, and translated to the archdiocese of Dublin, in 1786. His funeral, which took place on the 14th of May, was a public one, and was attended by a numerous concourse of persons; the number of carriages in the procession amounted to 120.

JUNE.

1. Mary, wife of Thos. Walsingham Western, esq. of Rivenhall-place, Essex, aunt to C. C. Western, esq. M.P. for that county, and daughter of the late admiral Osborne.

— In John-street, America-square, in his 66th year, Joseph Hart Myers, M.D.

9. In Curzon-street, May-fair, gen. R. Manners, col. of the 30th regt., son of the late lord R. Manners, of Bloxholm, in the county of Lincoln, M.P. in several sessions for Cambridge.

10. After a short illness, Sidney, third son of Hen. Streatfield, esq. of Cheddington, Kent, and private secretary to the right hon. Robert Peel.

12. At Southampton, sir James Lind, K.C.B. captain in the Royal Navy.

13. At Irthington, near Carlisle, in his 118th year, Mr. R. Bowman. He was born at Bridgewood Foot, a hamlet about two miles from Irthington, in the month of October 1705, in the house where his grandfather had resided, and where his father also was born, both of whom were brought up to husbandry. His ancestors were Roman Catholics, and in the early part of his life he professed that religion; but, many years ago, he became a member of the Church of England. From early youth, he had been a laborious worker, and was at all times healthy and strong. During the course of his long life he was only once intoxicated, and he never used tea or coffee; his principal food having been bread, potatoes, hasty-pudding, broth, and occasionally a little flesh meat. He scarcely ever tasted ale or spirits, his chief beverage being water, or milk and water mixed; this abstemiousness arose partly from a dislike to strong liquors, but more from a saving disposition. With these views his habits of industry and disregard of personal fatigue were extraordinary; having often been up for two or three nights in a week, particularly when bringing home coals or lime. In his younger days he was rather robust, and was considered to be

a master in the art of wrestling—an exercise to which he was particularly attached. He was of a low stature, being not above 5 feet 5 inches in height, with a large chest, well proportioned limbs, and weighing about 12 stone. His vigour never forsook him till far advanced in life; for in his 108th year he walked to and from Carlisle (16 miles) without the help of a staff, to see the workmen lay the foundation of Eden bridge. In the same year, he actually reaped corn, made hay, worked at hedging, and assisted in all the labours of the field, with apparently as much energy as the stoutest of his sons. As might be expected, his education was very limited; but he possessed a considerable share of natural sense, with much self-denial, and passed a life of great regularity and prudence, without troubling himself by much thought or reflection. His memory was very tenacious. He remembered the rebellion in 1715, when he was ten years of age, and witnessed a number of men running away from the danger. In the second rebellion, in the year 1745, he was employed in cutting trenches round Carlisle; but fled from his disagreeable situation, as soon as an opportunity afforded for escaping. He did not marry till he was 50 years of age, and his wife lived with him 52 years, dying in 1807, aged 81. In 1810 one of his brothers died at the age of 99, and in 1818 a cousin died aged 95; another cousin is now living, 87 years old. He has left six sons, the youngest of whom is 50 years of age, and the eldest 62; his grandchildren are 20 in number, and his great grandchildren only 11. He never had any daughters. About the year 1779, he lost all his teeth, but no mark of debility appeared about his person before 1813, when he took to his bed, and never was able to use his limbs afterwards. During the first nine years of his confinement his health and spirits continued good, and he was free from corporeal pain; but for the last twelve months his intellects became rather impaired. On the 12th of June he was seized with illness, which in fourteen hours put a period to his protracted existence. He grew weaker and weaker as the day declined, but experienced no sickness.

— At his seat, Theobalds, near Hatfield, in the county of Herts, in his 75th year, the most noble the marquis of Salisbury. He succeeded by his

DEATHS.

JULY:

son lord Cranborne. By his death there are become vacant, a blue ribbon, of the order of the Garter, and the lord lieutenancy of the county of Herts.

14. At Twickenham, Frances Susannah, wife of lord de Dunstanville, of Tehidy-park, Cornwall.

16. At Whitehall, aged 76, lady Lemon, wife of sir W. Lemon, bart.

18. In South Audley-street, after a long illness, Caroline Georgina, relict of the late col. Evelyn Anderson, brother to lord Yarborough.

— In Devonshire-street, Portland-place, William Gordon, esq. of Cambeltown, in the stewardry of Kircudbright.

19. At his lodgings, in Lambeth-road, aged 83, Wm. Coombe, esq. author of the *Devil on Two Sticks in England*, *Dr. Syntax's Tour in Search of the Picturesque*, *Johnny Quæ Genus*, and other popular productions.

22. Found drowned near Westminster-bridge, Francis Chichester, esq. of Trinity College, Oxford, aged 21.

23. At Lamas, Norfolk, in the 77th year of his age, Wm. Lubbock, esq. father of sir John Wm. Lubbock, bart.

26. At Kentish Town, Geo. Jackson, esq. in the 76th year of his age—the last, except one, of the original Directors named in the act of parliament for that truly great national work, the Grand Junction Canal.

30. At Eltham, Kent, John Bowdler, esq. in the 78th year of his age.

— At his house, at Stamford, Lincolnshire, Octavius Graham Gilchrist, esq. Mr. Gilchrist was originally intended for the church, and with that view was entered of Magdalen College, Oxford; but after a residence of two years he quitted it for a lucrative business, which was left him by his uncle. He was the author of several interesting publications; among others his *Vindications of Ben Jonson* and of *Pope* will not soon be forgotten.

Lately at Dublin, the venerable judge Fletcher. He was elevated to the bench in 1805, by the duke of Bedford, then lord lieutenant of Ireland.

At Pisa, lieutenant-col. James Stopford.

At Calcutta, the hon. Francis Sempill, youngest son of the right hon. lord Sempill.

At Calais, Henry Forster, esq. M.A. student of Christ Church, Oxford, Barrister-at-law, commissioner of Bankrupts, and nephew to the earl of Eldon, and lord Stowell.

1. At Shrewsbury, after a short illness, admiral Geo. Bowen.

2. In London, major Stewart, son of Alexander Stewart, esq. of Huntfield, Lanarkshire.

— In Brook-street, Chas. Freeman, esq. formerly secretary to the government at Madras, aged 68.

— At his house in the Kent Road, aged 60, Charles Brewer, esq. late of the Royal Navy Asylum at Greenwich, and formerly secretary to admiral sir Richard King, bart.

6. In Jermyn-street, major gen. the hon. Arthur St. Leger.

— At St. Bernard's Stockbridge, near Edinburgh, sir Henry Raeburn, first portrait painter to the King in Scotland (which appointment he received only a few days before his death), president of the academy in Edinburgh, and member of that in London, a member of the Royal Society of Edinburgh, the late Imperial Academy of Florence, and the Academy of New York. As a portrait painter, he was second only to sir Thomas Lawrence. His full-length pictures of the earl of Hopetoun, lord Frederick Campbell, sir David Baird, and many more, might be mentioned as proofs that he was equally remarkable for correctness of drawing, freedom of penciling, brilliancy of colouring, and a personification of character not less vigorous than graceful. He possessed the rare faculty of producing in every instance the most striking and agreeable likeness, and of indicating intellectual expression and dignity of demeanour, wherever they appeared in the original; often approaching in his portraits to the elevation of historical painting. In his intercourse with the young candidates for public favour, he was uniformly kind, communicative, and liberal; and on all occasions had the candour to bestow just praise on rival excellence. Sir H. Raeburn was not only an artist, but a patron of the arts, and his gallery and study were ever open to the young student. In society, few men were more acceptable than sir Henry; for he possessed a cheerful disposition, much good sense, and an inexhaustible store of anecdote. In his domestic relations, no man could dispense or receive a greater degree of happiness.

— The rev. David Williams, M.A.

DEATHS.

Principal of Ysladmeyric College, Cardiganshire, and formerly Fellow of Wadham College, Oxford.

7. In Seymour-street, Bath, John Warner, esq. formerly of Beaulieu, Hants, aged 81.

8. At Clough-hall, in the county of Stafford, Wm. Shepherd Kinnersley, esq. M.P.

— At Otley, suddenly, Miss Mary Ward. She had been so terrified by a thunder storm, as to be thrown into strong convulsion fits, which defied all aid, and terminated in her death the same evening.

9. At Exeter, on his return homewards from India, in the 40th year of his age, major Chas. Hall, of the 16th regt. of Madras Light Infantry, eldest son of David Hall, esq. of Macclesfield, in the county of Chester.

11. At his father's house, at Stifkey, Norfolk, col. Henry Loftus, of the Coldstream Guards.

— At Shrewsbury, a female of the name of Baxter, having attained the age of 104 years.

— At Wain-Wern Cottage, near Pontypool, Monmouthshire, Robert Smith, esq.

15. At Bosworth-park, Leicestershire, Mrs. Pochin, relict of the late col. George Pochin, of Bourn-abbey, Lincolnshire, and eldest daughter, and ultimately sole heiress of sir Wolstan Dixie, bart. of Bosworth-park.

— In his 76th year, Mr. Bent, of Paternoster-row, Bookseller.

16. At Walthamstow-house, Essex, Harriet, daughter of sir Robt. Wigram, bart.

17. In Bermondsey-street, Southwark, aged 67, the Abbé Auge Denis Macquin, formerly Professor of Rhetoric in the College of Meaux en Brie.

18. At Ramagate, after lingering three years in a decline, Miles James Beavor, in his 18th year, eldest son of colonel Beavor, of the Royal Artillery.

19. At Fleurs, near Kelso, aged 85, James-Norcliffe-Innes Ker, 5th duke and earl of Roxburgh, marquis of Beaumont and Cessford, earl of Kelso, viscount Broxmouth, and baron Ker of Cessford and Caverton, a baronet, and one of the 16 peers for Scotland. He was born 1738; married, first, April 19, 1760, Mary, sister of sir Cecil Wray, of Gwentworth, co. Lincoln, bart. by Frances, daughter of Fairfax Norcliffe, of Langton, co. York, esq. and by her

(who died July 20, 1807) had no issue; and secondly, July 28, 1807, Harriet, daughter of late Benjamin Charlewood, of Windlesham, esq. and by her had issue the present duke, born July 1816, and a daughter, born and died May 26, 1814. His original name was Innes, and he derived his descent from Margaret Ker, third daughter of Harry lord Ker, who married sir James Innes, of Innes, bart. by Jane daughter of James, 6th lord Ross. His Grace claimed the title of duke, &c. and on 11th of May, 1812, the House of Lords unanimously resolved "that the petitioner sir James-Norcliffe-Innes Ker, bart. had made out his claim to the titles, honours, and dignities, &c. as stated in his petition."

He succeeded William, 7th baron Bellenden, and 4th duke, who died in 1805 without issue; and who succeeded John, third duke, so generally known to the literary world as the nobleman whose taste for old books led to the foundation of the Club which bears his name.

His remains were interred in the ancient family vault at Bowden.

— At Bronwhylfa, near St. Asaph, aged 22, Louisa Ann, wife of lieutenant-col. Browne, K.C.B. and daughter of the rev. Dr. Gray, Prebendary of Durham and Chichester.

24. At Crofton-hall, Kent, aged 83, general Morgan, formerly of the Coldstream Guards.

— At the house of lord Beresford, Wimpole-street, major-gen. sir Denis Pack, K.C.B. C.T.S. &c. colonel of the 84th Foot, and lieutenant-governor of Plymouth.

— The right hon. John James, earl of Farnham, one of the representative peers for Ireland, governor of the county of Cavan, &c. &c. His lordship is succeeded in his title, and the bulk of his estates, by his cousin, colonel Barry, representative for that county. He was born in 1760, and succeeded his father in 1800.

— At Stanmore, lady Mary Finch, sister to the earl of Aylesford.

26. Aged 71, Mrs. Coffin, relict of the late Walter Coffin, esq. and niece of the celebrated Dr. Price.

— At Park-hall, near Mansfield, aged 53, major-gen. Hall, late lieutenant-col. of the 23rd, or Royal Welsh Fusiliers.

27. At Melford-house, the lady of major Plunkett, of Kinneird, in the county of Roscommon, Ireland, only child of the late gen. Guanning.

DEATHS.

30. At the White-lodge, Richmond-park, in his 37th year, the hon. Henry Addington, eldest son of lord viscount Sidmouth.

31. At Hereford Cathedral, the rev. Mr. Hopkins, curate of Byford, in that county, who expired during the ceremony of his marriage while about to put the ring on his bride's finger. He was 70 years of age.

AUGUST.

1. At Dacre-lodge, Middlesex, the right hon. lord Napier, of Merchistoun, North Britain, lord lieutenant of the county of Selkirk, and one of the sixteen representative peers of Scotland.

2. At Winchester, the hon. Charles Frederick Powlett, lord Bayning.

5. At Bath, lady Palliser, relict of the late, and mother of the present, sir Hugh Palliser, bart.

8. At his house, York-street, Dublin, in his 84th year, the rev. Edw. Ledwich, LL.D. F.S.A. of London and Scotland, and member of most of the distinguished literary societies of Europe; a learned and industrious Antiquary and Topographer. He was a native of Ireland; and fellow of Trinity College, Dublin, vicar of Aghaboe in Queen's county, and secretary to the Committee of Antiquaries of the Royal Irish Academy. In 1789, Mr. Gough acknowledged his obligations to Mr. Ledwich and other curious gentlemen of Ireland, "for an excellent comprehensive View of the government of that kingdom, from the earliest times to the latest Revolution in it," inserted in his valuable edition of Camden's *Britannia*.

In 1790 this learned and elegant Antiquary published a most valuable volume intitled "Antiquities of Ireland" containing a large collection of entertaining and instructive essays on the remoter antiquities of that Island. For having called in question the legendary history of St. Patrick, which he invalidated as a fiction invented long after the time when that saint is said to have lived, besides critically examining the several works ascribed to him, and other tales of the dark ages, he was attacked by some Antiquaries of the Roman Catholic persuasion, who allowed their bigoted attachment to their religion to supersede what had been obtained by indefatigable research.

When Capt. Grosse went to Dublin for the purpose of completing his design, "to illustrate the Antiquities of England, Wales, Scotland, and Ireland," he formed an acquaintance with this gentleman, urged by the above-mentioned specimen of his consanguinity in authorship. Upon his death, which shortly followed, Mr. Ledwich, at the request of the publisher, became the editor of "The Antiquities of Ireland," in two volumes, 4to.; and with great liberality and the utmost success, engaged in the design of completing what his predecessor had begun, but did not live to carry it on to any considerable extent. The first volume of this valuable work came out in 1794, and the second in 1796.

In the same year in which the second volume of the above national work was published, he produced a judicious, informing, and interesting work, in imitation of the Scotch Clergy, who, under the encouragement of sir John Sinclair, conducted their statistical inquiries with such success in their own country. It was intitled "A Statistical Account of the parish of Aghaboe, in the Queen's County," 1796, 8vo.

Besides the above works, he contributed to the volumes of the *Archæologia*, a "Dissertation on the Religion of the Druids," inserted in vol. VII. p. 303, and "Observations on our own ancient Churches," vol. VIII. p. 165.

Mr. Ledwich was a member of a little society for investigating the antiquities of Ireland, at the head of which was the right hon. Wm. B. Conyngham, Teller of the Exchequer at Dublin; but which was dissolved, it is said, in consequence of the free plesantry, with which Mr. Ledwich treated certain reveries circulated among them, and occasionally alluded to in his *Antiquities of Ireland*.

9. In Old Burlington-street, after a long indisposition, the most noble marquis Cornwallis. He succeeded his father in 1805. On the 18th, his remains were removed, for interment in the family vault, to Culford-hall, near Bury. The title descends to his uncle, the bishop of Lichfield and Coventry.

— At New-house-place, Chalfont, St. Giles, Bucks, the lady of sir Codrington Edmund Carrington.

10. In Devonshire-place, Esther, the wife of the rev. Fras. North, Prebendary of Winchester.

DEATHS.

11. At Brompton, lieut.-col. Brookes Lawrence, late of the 13th light drag.

12. At her house, in Regent-street, lady Wilson, wife of sir Robert Wilson, M.P.

19. At the house of the rev. J. Bradshaw, with whom he had just returned in a gig from Hornsey, and after partaking of a hearty dinner, the rev. Charles Rushworth, senior, B.D. fellow and steward of St. John's-college, Cambridge, aged 45.

— At Sheffield, in Bedfordshire, in his 57th year, Robert Bloomfield, author of the "Farmer's Boy," &c. &c. His constitution, naturally weak, had of late years become alarmingly impaired; every fresh attack left him still weaker; the last, it was feared, had he survived, would have fixed him in a state of mental aberration, to which he himself and his dearest friends must have preferred his death. Robert Bloomfield was born in 1766, in the county of Suffolk. He was one of six children of a tailor in middling circumstances, who was not enabled to give him more than a common education, for the acquirement of which he was indebted to his mother, who kept a school, and gave him all the instruction which she was enabled to bestow. He learned to read as soon as he could speak, and his mother, having lost her husband, remarried when Bloomfield was not more than seven years old. At the age of eleven, he was obliged to accept the menial office of a farmer's boy, to attend the workmen in the field. In the intervals of his labours, that native genius, which sooner or later bursts the bonds of slavery, led him to peruse such books as came within his reach, and whatever newspapers he could obtain: even at that early age he wrote a small poem, which he sent for insertion to the editor of the London Magazine, and had the pleasure of seeing in print. He next turned his attention to poetry during the hours of relaxation from toil, and composed many pieces, even in the midst of his occupation; he had also a taste for music, playing very decently on the violin; his imagination, however, was heated with the descriptions which he had read in the Poets of celebrity, particularly Thomson; and, disengaged from the bustle and care of a city, he planned and executed his "Farmer's Boy," a work,

which, as a descriptive Poem, possesses original genius and a happy facility in composition. Robert married about this time, and entered into trade. His poem fell into the hands of Mr. Lofft, who revised it, and prepared it for the press, bestowed on the author his protection, printed it at his own expense, and wrote the preface. On its first appearance it was highly approved of, and passed through many editions in a very short time; it fully established the claim of the author to the title of Poet, and stamped his name with the honour of genius. Of all Bloomfield's published works, no volume has alone so much interest as his "Wild Flowers," which was dedicated to his only son, Charles, "There can be no harm in telling the world," observes the poet in his Dedication, "that I hope these 'Wild Flowers' will be productive of sweets of the worldly kind; for your unfortunate lameness, should it never be removed, may preclude you from the means of procuring comforts and advantages which might otherwise have fallen to your share. What a blessing, what an unspeakable satisfaction, would it be to know, that the 'Ballads,' the 'Ploughman's Stories,' and the 'Broken Crutch' of your father, would eventually contribute to lighten your steps in manhood; and make your own crutch, through life, rather a memorial of affection than an object of sorrow!" The Poet's last production is intitled "Hazlewood Hall," a Village Drama, in Three Acts; and the Preface is dated from the place of his dissolution, so recently as the 19th of April preceding.

20. M. Brockhaus, of Leipsic, Editor of a vast number of literary works, and one of the most active, intelligent, and estimable of the German booksellers. M. Brockhaus was born in Westphalia: a lover of books, and though originally in another business in Holland, he gave it up to open a house at Amsterdam under the title of the "*Comptoir d'Industrie*." This was about the time that Holland lost her maritime power, in consequence of her union with France and the continental blockade. His first attempts were unsuccessful. The difficulty of the crisis forced him to stop payment; but when afterwards he became successful, he paid all his debts with interest. He next went to Altenberg in Saxony, when Germany was in a situation not

DEATHS.

much better than Holland; but, knowing the country, he made some successful speculations. He published the "Dictionary of Conversation," which was the foundation of his fortunes. There existed before a small Encyclopædia under that name. Brockhaus remodelled it and increased it to ten volumes, including in it every thing of interest, such as the history of the times, biography, and choice pieces of literature. It went through five editions; in ten or twelve years 50,000 copies were sold,—a success without example in the annals of German Bibliopoliasts. After the peace of 1814 he projected and established a work after the plan of the "Public Characters" in England, containing an account of the celebrated men of the day, of which thirty-six parts appeared. Brockhaus also published the *Hermes*, a quarterly work on the plan of the *Edinburgh Review*, which ranked high, and to which men of the first talents in Germany contributed. In 1817 and 1818, he determined to establish a daily journal, and came to Paris in 1819 to acquire a knowledge of the best mode of conducting it. On his return home, he bought the literary paper established by Kotzebue, and proposed to speak, in conducting it, the language of truth, and to defend intrepidly the rights of humanity. But already the efforts of the Holy Alliance were exerted to crush any thing resembling freedom of thought or expression, and even when he removed to Leipsic, a rigorous censorship was exercised over him. He next thought, that the governments, which watched with so much vigilance over the press, might perchance protect the property of the booksellers against the piracy exercised in the estates of the German confederation, and he published a memorial on the subject; but in vain. His other literary enterprises are too numerous to particularise. From 1815 to the present year, his house at Leipsic furnished the greater number of new and interesting works which appeared; and many men of talent found they could exercise their pens, give vent to their thoughts, and even secure an honourable existence by alliance with Brockhaus. He stimulated the self-love and zeal of literary men, and often suggested new ideas for original works. He was sufficiently conversant with

literature himself to judge of the merits of his editors, and even to co-operate himself in the enterprises he planned. Thus, though directing a bookselling establishment of vast extent, and corresponding with literary men all over the world, he still found time to work himself on his Encyclopædia and his daily journal, &c. One cause of his success was his constant publication of the literature of the day in England and France, in all their novelty. The death of so indefatigable a man was a great loss to Germany; and though his works are proposed to be continued, so independent a bookseller, one who never trembled at the frown of power, will not be soon replaced by another equally estimable in the view of his fellow-citizens.

21. At Broomham, Sussex, in his 85th year, sir Wm. Ashburnham, bart.

22. At Stratton, near Cirencester, the rev. Thos. Boys, D. D. late fellow of New College, Oxford, and rector of Radcliffe-cum-Chagmore, Bucks, in the gift of the wardens of that college.

— At Gedling, near Nottingham, the rev. Wm. Smelt, A. M. rector of that valuable living. He married the sister of the late earl of Chesterfield.

23. At his house, in Upper Brook-street, major Sneyd.

27. At Paris, the right hon. John Hope, earl of Hopetoun, viscount Airthrie, lord Hope (lord Hopetoun, 1809, and lord Niddry, 1814, British titles), lord lieutenant of Linlithgow-shire, knight grand cross of the order of the Bath, a general in the army, colonel of the 42nd foot (Royal Highlanders), governor of the royal bank of Scotland, captain-general of the royal company of archers, &c. &c. His lordship succeeded James the last earl, his half-brother, in 1816, and was the only son of John earl of Hopetoun, by his second marriage with Jane, daughter of Robert Oliphant, of Rossie, esq. and was born on the 17th of August 1765. He married, first, Elizabeth, daughter of the hon. Charles Hope Weir, of Craigiehall, in 1798, who died in 1801, without issue. He married, secondly, Louisa Dorothea, third daughter of sir John Wedderburn, of Ballendean, bart. by whom he has left John, now earl of Hopetoun, born Nov. 15, 1803, eight other sons, and two daughters. His lordship entered, when young, into the army, in which he served with great

DEATHS.

bravery and distinction. He was appointed adjutant-general to the forces serving under sir Ralph Abercromby in the Leeward Islands, in 1794; and had the rank of brigadier-general in the West Indies, where he was actively employed in the campaigns of 1794, 5, 6, and 7, being particularly noticed in general orders, and in the public despatches of the commander-in-chief, particularly, as having "on all occasions most willingly come forward and exerted himself in times of danger, to which he was not called from his situation of adjutant-general." He accompanied the British troops into Holland in August, 1799, as deputy adjutant-general, but was so severely wounded at the landing at the Helder, on the 27th of that month, that he was compelled to come home. On his recovery he was appointed adjutant-general to the army serving under his royal highness the duke of York, Oct. 16, 1799. In 1800, he accompanied sir Ralph Abercromby as adjutant-general on the expedition to Egypt, and at the battle of Alexandria, March 21, 1801, he was wounded in the hand, and the army was thus for a time "deprived of the service of a most active, zealous, and judicious officer." He afterwards accompanied the British army to Spain and Portugal in 1808. At the battle of Corunna, January 16, 1809, in consequence of the wounds of sir John Moore and sir David Baird, the command devolved on his lordship (then lieutenant-general hon. John Hope), "to whose abilities and exertions," said the despatches, "in the direction of the ardent zeal and unconquerable valour of his majesty's troops, is to be attributed, under Providence, the success of the day, which terminated in the complete and entire repulse and defeat of the enemy at every point of attack." On the 26th of April 1809, he was invested with the order of the bath, and was afterwards appointed commander-in-chief in Ireland, where he remained a considerable time. When he left Ireland, he again joined the duke of Wellington in the Peninsula; and on the 14th of April, 1814, in a sortie made by the garrison of Bayonne, he was very severely wounded, and was taken prisoner by his horse falling with him, which made him a cripple for a long time. This was his last service, as the war terminated next year. As a soldier,

he was cool, determined, and brave; and his conduct as a nobleman, landlord, and friend, was such as became his high station. By his numerous family and relatives his loss is much lamented; and few of his rank have died who have been more sincerely regretted by all classes of the public.

Lately after a lingering illness, at Barrogill Castle, near Thurso, in his 57th year, the right hon. James Sinclair earl of Caithness, lord lieutenant of that county, and post master general for Scotland. He is succeeded in his titles and estates by his eldest son Alexander, who in 1813 married Frances, the daughter of the late dean of Hereford, by whom he has a son, James, lord Beniedale, born 1822.

At Lochwinnoch, Thomas Reid, labourer, the original of Burns's celebrated Tam O'Shanter; he was born in October, 1745, and had been for some time past in the service of major Hervey, of Castle Semple.

At Londonderry, aged 76, the right rev. Charles O'Donnell, D. D. Roman Catholic bishop of the diocese of Derry. During the thirty years that he exercised his prelatical functions, he enjoyed the esteem of all parties.

At Glasnevin, near Dublin, in her 48th year, the right hon. viscountess Mountmorris.

At Tivoli, by falling into the cascade, while looking down upon it, Robert, eldest son of Robert Brown, esq. of Clapham Common, and of the firm of Robert and Benjamin Brown and co. Cheapside.

At Florence, John King, esq. husband of the countess of Lanesborough.

SEPTEMBER.

1. In consequence of being thrown out of a gig the same day, while returning with a party from Hampton-court, capt. Mildmay, brother to sir H. Mildmay, bart.

2. The rev. T. Winstanley, D. D. principal of St. Alban's-hall, Oxford, Camden Professor of Ancient History, and Laudean Professor of Arabic, in that University, and prebendary of St. Paul's Cathedral, London.

— At Ashton, Warwickshire, in his 80th year, the rev. B. Spencer, L.L.D. for fifty-two years vicar of the above parish, and rector of Hatton, Lincolnshire; and more than forty years an

DEATHS.

active magistrate for the counties of Warwick and Stafford.

4. In his 83rd year, the rev. J. Cayley, of Low-hall, Brompton, vicar and rector of Terrington, near Castle Howard; and father of John Cayley, esq.

5. At Gloucester, aged 80, the rev. R. Raikes, treasurer and canon of St. David's, prebendary of Hereford, and perpetual curate of Maisemore, in the county of Gloucester.

9. At her house in Finsbury-place, Mrs. De Bernales, wife of J. C. De Bernales, esq.

— At Middleton Cheyney, near Banbury, aged 38, the rev. E. Ellis, M. A. vicar of Chippenham, Wilts, formerly student at Christ Church, Oxford; and for some time second master at Westminster school.

— At Kensington, the chevalier Hippolyto Da Costa, lately chargé d'affaires in this country, of the new Brazilian government, and proprietor of the *Correio Braziliense*, a Portuguese journal, printed in London, but lately discontinued.

11. At Gatcomb Park, Gloucestershire, David Ricardo, M. P. for Portarlington, of an inflammation of the brain. He was a man of distinguished abilities; and in the House of Commons, his opinions were received with the most respectful attention, as well from the general opinion of his profound knowledge of commerce, as from his amiable disposition and conciliating manners. The history of Mr. Ricardo holds out a bright and inspiring example. Mr. Ricardo had every thing to do for himself: and he did every thing. He had his fortune to make, he had his mind to form, he had even his education to commence and to conduct. In a field of the most intense competition, he realized a large fortune, with the universal esteem and affection of those who could best judge of the honour and purity of his acts. Amid this scene of active exertion and practical detail, he cultivated and acquired habits of intense and patient and comprehensive thinking, such as have been rarely equalled, and never excelled. A new field of exertion was opened to him in the House of Commons; and when one reflects on what he had done, and what he was capable of doing, to accelerate the progress of enlightened legislation, it is difficult to point out another life the loss of which could be regarded as such an

evil to his country. It is known how signal a change has taken place in the tone of the House of Commons, on subjects of political economy, during his short parliamentary career; and though he had the advantage of a ministry, some of whom were sufficiently enlightened to be warm in the same beneficent course, yet they will not be among the most backward to acknowledge, how much his calm and clear exposition of principles, his acute detection of sophistry, and unwearied industry, contributed to the great result. Mr. Ricardo had not completed his fifty-sixth year. His constitution, though not robust, was sound, and his health such as to promise a long life of usefulness. He was actively engaged, at the period when his mortal disease attacked him, in the most elaborate investigations; and had nearly completed an essay on the proper constitution of a national bank. As a political economist none of his contemporaries came near him. After every allowance has been made for its deficiencies in style and arrangement, it is still certain that the "Principles of Political Economy and Taxation" is one of the most original, profound, and truly valuable philosophical works, that have appeared since the publication of the "Wealth of Nations."

— At Bill-hill, near Wokingham, Berks, aged 51, Catherine, wife of John James Cholmondeley, esq.

12. At his house, Tumbridge Wells, in his 77th year, after a long illness, W. Lushington, esq. formerly one of the representatives for the city of London.

14. At Cobham-lodge, general Buckley, governor of Pendennis Castle.

22. At Barham-lodge, Herts, aged 22, Louisa, youngest daughter of the late lord Primate of Ireland.

23. At his seat, Duntisborn, near Cirencester, Matthew Baillie, M. D. This gentleman was a native of Scotland, and son of a professor of divinity at Glasgow. After having received the rudiments of education at Glasgow, he was sent to London, under the care of his two maternal uncles, the late Dr. William and Mr. John Hunter. Under these he acquired an extensive and complete knowledge of the profession he intended to pursue. He was sent early to Oxford, where he took his degrees; and was admitted to that of M.D. in 1789. Repairing to London, he was made a member of the College of Phy-

DEATHS.

sicians about the same period as Dr. Vaughan (now sir Henry Hallford). These two gentlemen soon came into great practice, and perhaps there is no instance of two men in the medical profession rising so young to so great an eminence. To Dr. Baillie the medical world is indebted for a work of great merit, intitled "The Morbid Anatomy of the Human Body," 1793; to which he added an Appendix in 1798; and which reached the fourth edition in 1807. In 1799 he published "a Series of Engravings to illustrate the Morbid Anatomy," which reached a second edition in 1812. He likewise published "Anatomical Description of the Gravid Uterus." These works, and the high character he bore in his profession, brought him into great practice, and enabled him to accumulate a good fortune.—"A fortune (as his biographer in the *Public Characters* says) which was gained with much reputation, and to the entire satisfaction of those who employed him." He had been physician to the late king, and might have been so to the present. He was brother to the celebrated Miss Joanna Baillie. He married, early in life, Miss Denman, daughter of the late Dr. Denman, and sister to the barrister of that name. Besides the above works, Dr. B. wrote several papers in the "Transactions of the Society for Medical and Chirurgical Knowledge." To this short biographical sketch of Dr. Baillie, we add, as a supplement, an eloquent *éloge* to his memory, which was delivered to the students of anatomy and surgery in Great Windmill-street, by his eminent successor in that school, Charles Bell, esq., a man whose professional knowledge is known over all Europe, and whose works, translated into all the modern European languages, have raised the scientific reputation of England. Mr. Bell had been previously speaking of the Hunters, and, having mentioned Dr. Baillie, he continued.

"Gentlemen,—I have been led unavoidably to mention that name. But I shall not venture to give myself up to the feelings, which at this moment it could not fail to excite. Indeed, the reflections, which arise on the contemplation of a loss so recent and so great, would carry me beyond the terms of praise, with which you are as yet prepared to sympathise. You, who are just entering on your studies, cannot be

aware of the importance of one man to the character of a profession, the members of which extend over the civilised world. You cannot yet estimate the thousand chances there are against a man rising to the degree of eminence which Dr. Baillie attained; nor know how slender the hope of seeing his place supplied in our day. The father of Dr. Baillie was the Rev. James Baillie, sometime minister of the kirk of Shotts (one of the most barren and wild parts of the low country of Scotland), and afterwards Professor of Divinity in the University of Glasgow. His mother was the sister of Dr. William Hunter and of Mr. John Hunter. In the earlier part of his education, he enjoyed great advantages; and, indeed, he was in the whole course of it peculiarly happy. From the College of Glasgow, in 1780, he went to Balliol College, Oxford, where he took his degrees; and came finally under the superintendence of his uncle, Dr. William Hunter, with whom he lived. By him he was brought forward into life; and through the influence of his uncle's friends, he was made physician to St. George's Hospital, in 1787. The merest chance made me acquainted with a circumstance very honourable to Dr. Baillie. While still a young man, and not affluent, his uncle William, dying, left him the small family estate of Long-caldenwood. We all know of the unhappy misunderstanding, that existed between Dr. Hunter and his brother John. Dr. Baillie felt that he owed this bequest to the partiality of his uncle, and made it over to John Hunter. The latter long refused; but in the end, the family-estate remained the property of the brother, and not of the nephew, of Dr. Hunter. It was Dr. Hunter's wish to see his nephew succeed him, and take his place in these rooms as a lecturer. To effect this, he united with him his assistant, Mr. Cruickshanks; and, at his death, assigned to him the use of his collection of anatomical preparations during thirty years. It was under this roof that Dr. Baillie formed himself, and here the profession learned to appreciate him. He began to give regular lectures here in 1785, and continued to lecture in conjunction with Mr. Cruickshanks till 1799. He had no desire to get rid of the national peculiarities of language; or, if he had, he did not

DEATHS.

perfectly succeed. Not only did the language of his native land linger on his tongue, but its recollections clung to his heart; and to the last, amidst the splendor of his professional life, and the seductions of a court, he took a hearty interest in the happiness and the eminence of his original country. But there was a native sense and strength of mind, which more than compensated for the want of the polish and purity of English pronunciation. He possessed the valuable talent of making an abstruse and difficult subject plain: his prelections were remarkable for that lucid order and clearness of expression which proceed from a perfect conception of the subject; and he never permitted any vanity of display to turn him from his great object of conveying information in the simplest and most intelligible way, and so as to be most useful to his pupils. It is to be regretted, that his associate in the lectureship made his duties here unpleasant to him: and I have his own authority for saying that, but for this, he would have continued to lecture for some years longer. That Dr. Baillie ceased to lecture at a time when his opinions became every day more valuable, is the less to be regretted, when we consider how he continued afterwards to occupy himself. His first work, on *Morbid Anatomy*, was, like every thing he did, modest and unpretending; but it was not on that account the less valued. A perfect knowledge of his subject, acquired in the midst of the fullest opportunities, enabled him to compress into a small volume more accurate and more useful information, than will be found in the works of Bonetus, Morgagni, and Lieutaud. This work consisted at first of a plain statement of facts—the description of the appearances presented on dissection, or what could be preserved and exhibited; and he afterwards added the narration of symptoms corresponding with the morbid appearances. This was an attempt of greater difficulty, which will require the experience of successive lives to perfect. His next work was the *Illustration of Morbid Anatomy*, by a series of splendid engravings; creditable at once to his own taste and liberality, and to the state of the arts in this country. He thus laid a solid foundation for pathology, and did for his profession what no physician had done before his time. Besides his great work, he gave a descrip-

tion of the *Gravid Uterus*, and many important contributions to the *Transactions* and medical collections of his time. Dr. Baillie presented his collection of morbid specimens to the College of Physicians, with a sum of money to be expended in keeping them in order; and it is rather remarkable that Dr. Hunter, his brother, and his nephew, should have left to their country such noble memorials as these. In the College of Glasgow may be seen the princely collection of Dr. Hunter; the College of Surgeons have assumed new dignity, surrounded by the collection of Mr. Hunter—more like the successive works of many men enjoying royal patronage or national support, than the work of a private surgeon; and lastly, Dr. Baillie has given to the College of Physicians, at least, that foundation for a museum of morbid anatomy, which we hope to see completed by the activity of the members of that body. When a physician rises suddenly into eminence, owing to fortuitous circumstances, connexions, or address, though we cannot condemn that person, nothing can be less interesting than his life or fortunes: but Dr. Baillie's success was creditable to the time. It may be said of him, as it was said of his uncle John, 'every time I hear of his increasing eminence, it appears to me like the fulfilling of poetical justice, so well as he deserved success by his labours for the advantage of humanity.'—Yet I cannot say that there was not in his manner sufficient reason for his popularity. Those who have introduced him to families from the country must have observed in them a degree of surprise on first meeting the physician of the court. There was no assumption of character, or warmth of interest exhibited; he appeared what he really was—one come to be a dispassionate observer, and to do that duty for which he was called. But, then, when he had to deliver his opinion, and more especially when he had to communicate with the family, there was a clearness in his statement, a reasonableness in all he said, and a convincing simplicity in his manner, that had the most soothing and happy influence on minds, exalted and almost irritated by suffering and the apprehension of impending misfortune. When you remember also his upright and liberal conduct to the members of his profession, there appears sufficient reason for

DEATHS.

a certain local influence; but it was to his professional character, in a wider sense, that he owed his eminence. We cannot estimate too highly the influence of Dr. Baillie's character on the profession to which he belonged. I ought not, perhaps, to mention his mild virtues and domestic charities; yet the recollection of these must give a deeper tone to our regret, and will be interwoven with his public character, embellishing what seemed to want no addition. After so many years spent in the cultivation of the most severe science,—for surely anatomy and pathology may be so considered,—and in the performance of professional duties on the largest scale,—for he was consulted not only by those who personally knew him, but by individuals of all nations,—he had, of late years, betaken himself to other studies, as a pastime and recreation. He attended more to the general progress of science. He took particular pleasure in mineralogy; and, even from the natural history of the articles of the *Pharmacopœia*, he appears to have derived a new source of gratification. By a certain difficulty which he put in the way of those who wished to consult him, and by seeing them only in company with other medical attendants, he procured for himself, in the latter part of his life, that leisure which his health required, and which suited the maturity of his reputation; while he intentionally left the field of practice open to new aspirants. When you add to what I have said of the celebrity of the uncles, William and John Hunter, the example of Dr. Baillie, and farther consider the eminence of his sister, Joanna Baillie, excelled by none of her sex in any age, you must conclude with me, that the family has exhibited a singular extent and variety of talent. When I last saw him (the day before he left town for Tunbridge), I enjoyed a long and interesting conversation with him. He was aware of his condition and his danger. His friends believed that he was suffering from a general decay of strength—a sort of climacteric disease. To me, he appeared like a man who had some local source of irritation, or visceral affection, which was preying on his constitution. Every body hoped, that his state of health was to be ascribed to the fatigue of business, and that retirement would afford him relief; but in this we were disappointed. He sensibly and

rapidly sunk, and, by the calmness and resignation of his last days, summed up the virtues of his life. Dr. Baillie's age was not great, if measured by length of years: he had not completed his sixty-third year; but his life was long in usefulness. He lived long enough to complete the model of a professional life. In the studies of youth,—in the serious and manly occupations of the middle period of life—in the upright, humane, and honourable character of a physician—and above all, in that dignified conduct which became a man's nature in years and honour, he has left a finished example to his profession."

Lately, At Teddington, Mr. sergeant Marshall, one of the Justices of the Chester Circuit.

25. At Bath, Mrs. Baldwin, daughter of the late Charles Coxe, esq. of Kemble, Gloucestershire. She has bequeathed 300*l.* to the Casualty Hospital, at Bath; 500*l.* to the Gloucester Infirmary; 700*l.* to the Poor of the parish of Kemble; and 500*l.* to the Poor of the parish of Minchinhampton.

Lately, At Rome, in his 63rd year, his holiness Pope Pius VII.

At Rumpenheim, the Landgravine of Hesse Rumpenheim, mother to the duchess of Cambridge.

At Sierra Leone, Edward Fitzgerald, chief-justice and judge of the Vice-Admiralty Court, in that Colony, and assessor to the mixed Commission established there for the more effectual abolition of the Slave Trade.

OCTOBER.

1. At Dacre-lodge, Middlesex, Francis lord Napier, of Merchistoun, N.B. lord lieutenant of the county of Selkirk, and one of the Sixteen representative peers for Scotland.

4. At Ingestrie, near Stafford, the seat of her father, the right hon. Frances Charlotte Talbot, countess of Dartmouth, eldest daughter of the earl of Talbot, and niece to the bishop of Oxford. Her ladyship was born May 17, 1801, and was married April 5, 1821.—And on the 11th died in his second year, George viscount Lewisham, her ladyship's eldest son.

5. Joseph Dawson, esq. of Royd's-hall, near Bradford.

—Aged 50, Mr. Myers, jeweller, of Worcester, who suddenly fell back, while playing at cards, and instantly expired.

DEATHS.

7. At *Somers Town*, in his 75th year, lieutenant-colonel Robert Pratt, late of the 5th regiment of foot.

8. At his seat in Dorsetshire, after a long illness, the right hon. Nathaniel Bond, one of his majesty's privy council, and a Benchers of the Inner Temple. He was for many years one of the leading counsel on the Western Circuit, and M.P. for Corfe Castle. During lord Sidmouth's administration he had a seat at the Board of Treasury, and was subsequently appointed Judge Advocate of the army.

9. At Cheltenham, Mrs. Pares, of Hopwell-hall, in the county of Derby.

— At Walton, near Peterborough, aged 25, William King, jun. A.M. Fellow of Corpus Christi College, Oxford.

12. Of an apoplectic fit, at the house of his brother, Dr. W. Wollaston, the rev. F. J. H. Wollaston, archdeacon of Essex, and vicar of South Weald, and rector of Cold Norton, in the same county.

13. At Harewood-house, Yorkshire, after an illness of only three days, the hon. Frederic Lascelles, fifth son of the earl and countess of Harewood; aged 20. His remains were interred in the family vault at Harewood, on the 15th.

— Suddenly, at Windsor, in his 67th year, Samuel Wharton, esq. Clerk Comptroller of his majesty's kitchen.

— At Bungay, Norfolk, major general Kelso.

14. At Kensington, Mrs. Catherine Peyton, eldest daughter of the late admiral Peyton.

— At Bath, W. Cade Key, esq. of Hampstead.

15. Aged 23, Eleanor Jane, wife of Captain Maitland, and daughter-in-law of general Maitland, after being suddenly seized with a spasmodic affection. She had been confined in child-bed about three weeks previously.

16. Lady Hamilton Dalrymple, wife of lieutenant-gen. sir J. Hamilton Dalrymple, bart.

17. At Grey's-court, Henley-on-Thames, the seat of lady Stapleton, the hon. Mrs. Stapleton, wife of the hon. Thomas Stapleton, and daughter of Henry Bankes, esq. of Kingston-hall, in the county of Dorset.

18. Henry James Leigh, esq. of Stoneleigh Abbey, Warwickshire. He was only son of lady Caroline Leigh, sister to James, last duke of Chandos;

and sat once in parliament for the city of Westminster. His estates descended to his son Chandel Leigh, esq.

— At his seat Ashridge-park, Herts, the right hon. John William Egerton, 7th earl of Bridgewater. This nobleman, who was the eldest son of the late Dr. John Egerton, bishop of Durham, and grandson of the hon. Henry Egerton, bishop of Hereford, succeeded his cousin, Francis, third duke of Bridgewater in 1803. He has munificently bequeathed 6,000*l.* per annum for ever, for the employment and improvement of the poor of the parish of Ashridge. His chief estates are left to his countess, deducting 18,000*l.* per annum for his brother the hon. and rev. Francis Egerton, the present earl, after whose decease and that of the countess, they devolve on the hon. Mr. Cust, eldest son of lord Browlow.

— At Hastings, in his 81st year, the rev. Edmund Cartwright, D.D. F.R.S. of Hollenden-House, Kent, Prebendary of Lincoln, &c.

19. At Sandgate, Frances Leigh, relict of the late general Leigh, and daughter of the late hon. admiral Byron.

Lately, at Willasley-hall, Derbyshire, general sir Charles Hastings, bart. lieutenant-colonel of the 19th regiment of foot.

At St. Petersburg, M. Steibelt, the celebrated composer.

NOVEMBER.

3. At Blackheath, general sir A. Farrington, bart.

5. At Weymouth, after a long illness, colonel Chichester, of Arlington Court, Devonshire.

— In Bedford-street, Bedford-square, in her 20th year, Mary, only daughter of the late hon. Robert Hamilton, of Queenston, Upper-Canada.

6. In Soho-square, lady Burton, relict of sir J. Burton, and wife of Mr. Baikie.

— At his Chambers, in the Inner Temple, after a few days' illness, the hon. Frederick Eden, Barrister-at-law, eldest son of lord Henley.

— At Bath, Mrs. Grace Blackwood, second daughter of the late sir R. Blackwood, bart.

8. At Westhoe-lodge, Cambridge-shire, after a long illness, aged 62, Mary, wife of Benjamin Keene, esq.

210 ANNUAL REGISTER, 1823.

DEATHS.

10. At Brighton, aged 81, Wm. Mitchell, esq. of Upper Harley-street.

11. After an illness of 24 hours, the rev. Benjamin Wainewright, M.A. of East Bergholt, Suffolk.

— At his house in Great Ormond-street, aged 71, sir Richard Richards, Lord Chief Baron. His lordship had been suffering from spasmodic attacks for a considerable period, and was so seriously indisposed during the last Circuit, that on one occasion he was compelled to leave the Court. He had long enjoyed the friendship and confidence of the lord Chancellor, for whom on several occasions he presided, under special commissions, as Speaker of the House of Lords. He was appointed on the 4th of May 1813 Chief Justice of Chester; one of the barons of the Exchequer, in 1814; and in April 1817, on the death of sir A. Thompson, sir R. Richards succeeded him in that high office.

12. At Brighton, Elizabeth Helena, only child of the late hon. John Perceval.

13. At Clifton, lady Sullivan, relict of sir B. Sullivan.

— In Hatton-garden, in his 68th year, Mr. Charles Taylor, author of the improved edition of Calmet's History of the Bible, and editor of Dr. Wells' Scripture Geography, and other works on the subject of Biblical Literature.

14. George Augustus Bouverie, esq. Auditor of the Excheq.

15. In Beaumont-street, aged 78, the right hon. the earl of Portmore.

16. At Smeaton, lady Buchan Hepburn, relict of sir George Buchan Hepburn, one of the Barons of the Court of Exchequer in Scotland.

17. At Port Elliot, the right hon. John Craggs Elliot, earl of St. Germans. His lordship succeeded his father in 1804; he was twice married, but not having any issue, the title devolves upon his brother, the hon. Wm. Elliot.

21. At Blackwell, near Darlington, in the county of Durham, in his 75th year, captain Ralph Milbanke, R.N. first cousin to sir Ralph Noel, late Milbanke.

22. In Old Palace-yard, in her 63rd year, Frances, wife of Henry Bankes, esq. M.P. of Corfe-castle.

24. At Hoddesdon, Herts, aged 77, Wm. Hodgson, esq. F.R.S.

27. At his house, in Brunswick-

square, aged 83, Harden Burnley, esq. father-in-law of Joseph Hume, esq. M.P.

28. At his seat, Picton-castle, after a long illness, in his 85th year, the right hon. Richard Phillips, lord Milford, lord lieutenant for Pembroke-shire, and late member for that county. His lordship was a lineal descendant from sir John Picton, the second baronet of the family, who garrisoned the castle of Pieton for Charles 1st in 1647; he was raised to the Irish peerage, in 1776, by the title of baron Milford, which is now extinct, his lordship having died without issue.

30. At Chiswick, at lieutenant-colonel Cavendish's, Villiers Frederick Francis, youngest son of the hon. Henry Howard, aged 8 years.

Lately, at Edinburgh, David Robertson, esq.

At his seat at Candie, in his 73rd year, Matthew Ross, dean of the faculty of advocates in Scotland.

At Dundee, in her 21st year, Anne, eldest daughter of the rev. H. Horsley, and grand-daughter of the late lord bishop of St. Asaph.

At Almondale, near Edinburgh, in his 76th year, Thomas lord Erskine, of an inflammation of the chest.

At Carderan, near Bourdeaux, lady Sophia Pierrepont, wife of the right hon. Henry Pierrepont.

At the Hague, the right hon. Reinard Deiderick Jacob baron de Reede Ginkell, count of the Holy Roman Empire, lord of Ameronger Ginkell, Elst, and Livendael, earl of Athlone, viscount Aughrim, baron of Ballemore, and late a colonel in the army. He is succeeded in his estates by his only son George Godart Henry lord Aughrim.

At Jersey, in his 43rd year, J. Dumaresque, esq. his majesty's attorney-general, and colonel of the first regiment of Militia of that island. His death was occasioned by an attack of apoplexy, while in the Assembly of the States.

At Borden Town, New Jersey, in his 49th year, general Lallemand, of a disease in the stomach, under which he had laboured for some time. He was a general of Artillery under Napoleon, and member of the Chamber of Peers.

DECEMBER.

2. In consequence of a wound received

DEATHS.

the preceding day, while shooting in his plantations, by his gun going off as he was getting through a hedge, and lodging its contents in his right side,—Robert Viner, esq. of Eathorp.

3. In his 9th year, the hon John Russell Keppel, youngest son of the earl of Albemarle.

— At Gato, G. Belzoni, the celebrated traveller. He was buried the next day, and the following inscription was placed upon his tomb: "Here lie the remains of G. Belzoni, who was attacked with dysentery at Benin (on his way to Houssa and Timbuctoo) November 26, and died at this place December 3, 1823." At the time of his death every thing was arranged with the king of Benin for his departure; and there is no doubt he would have succeeded. He passed with the king and nobles for a native of the interior, who had been in England since his youth, and was then returning home; and wore a Moorish dress, and a beard a foot long. The distance from Benin to Houssa is about 25 days' journey. His guard was to have left him at the latter place, whence he was to have proceeded to Timbuctoo by himself.

4. Aged 32, Eliza, relict of general Keith Macalister, late of Wimpole-street, Cavendish-square, and of Toresdale-castle, Argyleshire.

7. At his house in Queen's-square,

Robert Raynsford, esq. chief Magistrate of the Police-office, Queen-square.

— Aged 70, the hon. Thomas Steele.

— At Windsor, Anne, relict of the rev. William Douglas, Prebendary of Westminster and Chancellor of the diocese of Salisbury.

— In Brook-street, aged 63, sir Eyre Coote, bart. of West-park, in the county of Hants.

— In Upper Grosvenor-street, lady Wake, relict of sir Wm. Wake, bart. of Courtean-hall, Northamptonshire.

12. Aged 21, Martha Caroline, daughter of Arthur Daniel Stone, M.D.

— Aged 63, Robert Dormer, esq. son of the late James Dormer, esq.

13. Aged 49, the rev. D. F. Fryce, D.D. of Bradfield rectory, in the county of Essex.

14. Eliza, wife of major Lane, of the royal artillery.

16. At Colchester, aged 32, William, second son of the rev. Dr. Moore.

28. Aged 70, S. Pell, esq. of Sywell-hall, in the county of Northampton.

30. At Torquay, Devonshire, Sarah, countess of Kilcoursele.

— At Myerscough-hall, Lancashire, in his 58th year, Edw. Greenhalgh, esq.

31. At Walthamstow, Thomas Courtenay Warner, esq. Treasurer of St. Bartholomew's Hospital.

— At his seat in Cornwall, sir A. P. Molesworth, bart.

A LIST

OF THE

KING'S MINISTERS IN 1823.

Earl of Liverpool	<i>First Lord of the Treasury.</i>
Earl of Eldon	<i>Lord-Chancellor,</i>
Earl of Harrowby	<i>President of the Council.</i>
Earl of Westmorland	<i>Lord Privy-Seal.</i>
Right hon. Robert Peel	<i>Secretaries of } Home Department. } Foreign. } Colonies and War.</i>
Right hon. George Canning	
Earl Bathurst	
Right hon. Fred. John Robinson	
Viscount Melville	<i>Chancellor of the Exchequer.</i>
Duke of Wellington	<i>First Lord of the Admiralty.</i>
Right hon. Chs. W. Williams Wynn	<i>Master-General of the Ordnance.</i>
Lord Bexley	<i>President of the Board of Control.</i>
Viscount Sidmouth	<i>Chancellor of the Duchy of Lancaster.</i>

The above form the CABINET.

Duke of Montrose	<i>Lord Chamberlain.</i>
Marquis Conyngham	<i>Lord Steward.</i>
Duke of Dorset	<i>Master of the Horse.</i>
Viscount Palmerston	<i>Secretary at War.</i>
Right hon. William Huskisson	<i>{ Treasurer of the Navy, and President } of the Board of Trade.</i>
Right hon. Sir Charles Long	
Right hon. Thomas Wallace	<i>Paymaster of the Forces.</i>
Right hon. Charles Grant	<i>Master of the Mint.</i>
Earl of Chichester	<i>Vice President of the Board of Trade.</i>
Viscount Beresford	<i>Postmaster-General.</i>
Right hon. Charles Arbuthnot	<i>Lieutenant-General of the Ordnance.</i>
	<i>First Commissioner of Land Revenue.</i>
Sir John Singleton Copley, knt.	<i>Attorney-General.</i>
Sir Charles Wetherell, knt.	<i>Solicitor-General.</i>

IRELAND.

Marquis Wellealey	<i>Lord-Lieutenant of Ireland.</i>
Lord Mannera	<i>Lord-Chancellor.</i>
Lord Combermere	<i>Commander of the Forces.</i>
Right hon. Henry Goulburn	<i>Chief Secretary.</i>
Right hon. sir G. Fitzgerald Hill, bart.	<i>Vice-Treasurer.</i>
Right hon. William C. Plunkett	<i>Attorney-General.</i>
Henry Joy, esq.	<i>Solicitor-General.</i>

**FINANCE ACCOUNTS AND ACTS PASSED,
1823.**

**PUBLIC INCOME.
PUBLIC EXPENDITURE.
DISPOSITION OF GRANTS.
UNFUNDED DEBT.
FUNDED DEBT.
TRADE OF GREAT BRITAIN.**

**TRADE OF IRELAND.
NAVIGATION OF THE UNITED
KINGDOM.
LIST OF PUBLIC GENERAL ACTS.
• - - LOCAL AND PERSONAL
ACTS.**

214 ANNUAL REGISTER, 1823.

PUBLIC INCOME OF THE UNITED

An Account of the ORDINARY REVENUES and EXTRAORDINARY Kingdom of GREAT BRITAIN and IRELAND,

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks, &c.	NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.				
ORDINARY REVENUES.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs.....	14,384,710	16	10½	1,461,290	8	0½	12,923,420	8	10½
Excise.....	11,190,948	6	3½	2,214,603	6	11	8,976,344	19	4½
Stamps.....	7,106,745	0	1½	226,250	9	9	6,880,494	10	4½
Taxes, under the Management of the Commissioners of Taxes.....	7,538,826	3	2½	21,183	0	8½	7,517,643	3	2½
Post Office.....	2,128,920	10	8	79,598	6	0	2,049,322	4	8
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions...	68,730	5	2½	..	..	..	68,730	5	2½
Hackney Coaches, and Hawkers and Pedlars	62,612	19	9	..	..	..	62,612	19	9
Crown Lands.....	250,059	11	3½	..	..	..	250,059	11	3½
Small Branches of the King's Hereditary Revenue.....	13,195	0	0½	..	..	..	13,195	0	0½
Lottery; Surplus Produce, after payment of Prizes.....	234,000	0	0	..	..	..	234,000	0	0
Surplus Fees of Regulated Public Offices....	53,872	4	8	..	..	..	53,872	4	8
Poundage Fees, Fells Fees, Casualties, Treasury Fees, and Hospital Fees.....	7,870	2	8½	..	..	..	7,870	2	8½
TOTAL of Ordinary Revenues.....	63,040,406	13	9½	4,002,925	11	5	59,037,481	2	4½
OTHER RESOURCES.									
Proceeds of Old Naval Stores, per Act 3, Geo. 4, c. 127, s. 4.....	151,000	0	0	..	..	..	151,000	0	0
Unclaimed Dividends, Annuities, Lottery Prizes, &c. per Act 56 Geo. 3, c. 97....	1,666	5	1	..	..	..	1,666	5	1
Amount of Savings on Third Class of Civil List, in the year ended 5th of January, 1821.....	1,119	2	3½	..	..	..	1,119	2	3½
From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the Employment of the Poor.....	197,500	0	0	..	..	..	197,500	0	0
From several County Treasurers, and others in Ireland, on account of Advances made by the Treasury, for improving Post Roads, for building Gaols, for the Police, for Public Works, employment of the Poor, &c.....	81,516	8	3½	..	..	..	81,516	8	3½
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public.....	328,195	13	11½	..	..	..	328,195	13	11½
TOTALS, exclusive of Loans.....	63,801,404	3	5½	4,002,925	11	5	59,798,479	12	4½
Loans.....	11,872,155	9	2½	..	..	..	11,872,155	9	2½
TOTALS of the Public Income of the United Kingdom, including Loans....	75,673,559	12	8½	4,002,925	11	5	71,670,634	1	4½

Whitehall Treasury Chambers,
24th March 1823.

KINGDOM, FOR THE YEAR 1823.

RESOURCES, constituting the PUBLIC INCOME of the United for the Year ended 5th January, 1823.

TOTAL INCOME, including BALANCES outstanding 5th Jan. 1823	Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on the 5th January 1823.	TOTAL DISCHARGE of the INCOME.	Rate per Cent. for which the Gross Receipt was collected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
13,298,441 12 6½	2,327,567 14 9	10,663,616 18 0½	307,256 19 8½	13,298,441 12 6½	10 15 2
30,738,945 5 1½	1,792,978 13 10½	27,283,408 11 5½	1,082,557 19 9½	30,738,945 5 1½	4 7 3
7,315,591 8 0½	206,082 9 6½	6,632,546 13 3½	477,323 5 2½	7,315,591 8 0½	2 18 0
7,033,099 10 0½	437,646 0 8½	7,218,844 2 0	276,609 7 4½	7,033,099 10 0½	5 1 11
3,289,955 19 4½	640,869 4 11½	1,428,230 15 4½	220,855 19 0½	3,289,955 19 4½	23 4 2
72,094 8 10½	1,834 19 2	67,024 12 3½	3,234 17 5½	72,094 8 10½	2 13 5
63,525 8 11	8,444 1 1	54,580 0 0	101 7 10	63,525 8 11	14 2 6
295,866 4 4½	265,973 3 11½	973 6 8	28,919 13 9½	295,866 4 4½	21 0 0
15,931 1 5½	3,295 9 0	9,606 10 2	5,029 2 3½	15,931 1 5½	9 16 3
234,000 0 0	3,000 0 0	231,000 0 0	.. ..	234,000 0 0	1 5 8
53,872 4 8	.. ..	53,872 4 8	.. ..	53,872 4 8	—
7,870 2 8½	.. ..	7,870 2 8½	.. ..	7,870 2 8½	—
62,340,454 6 1	5,688,091 17 0½	53,632,473 16 7½	2,099,888 12 5	62,340,414 6 1	6 12 0
151,000 0 0	.. ..	151,000 0 0	.. ..	151,000 0 0	—
1,666 5 1	.. ..	1,666 5 1	.. ..	1,666 5 1	—
1,119 2 3½	.. ..	1,119 2 3½	.. ..	1,119 2 3½	—
197,500 0 0	.. ..	197,500 0 0	.. ..	197,500 0 0	—
85,074 5 0½	.. ..	82,695 3 5½	2,369 1 7½	85,074 5 0½	—
328,195 13 11½	.. ..	328,195 13 11½	.. ..	328,195 13 11½	—
61,104,449 12 5½	5,688,091 17 0½	54,414,680 1 4½	3,092,227 14 0½	61,104,999 12 5½	—
11,872,155 9 2½	.. ..	11,872,155 9 2½	.. ..	11,872,155 9 2½	—
74,977,156 1 8½	5,688,091 17 0½	66,286,806 10 7½	3,092,227 14 0½	74,977,156 1 8½	—

J. C. HARRIES,

216 ANNUAL REGISTER, 1823.

PUBLIC EXPENDITURE.

An Account of the PUBLIC EXPENDITURE of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt within the same period.

EXPENDITURE.	—	—
<i>Payments out of the Income in its Progress to the Exchequer.</i>	£. s. d.	£. s. d.
Charges of Collection	4,100,270 16 10½	
Other Payments	1,527,821 0 1½	
Total Payments out of the Income, prior to the Payments into the Exchequer		5,628,091 17 1½
<i>Payments out of Exchequer.</i>		
Dividend, Interest, and Management, of the Public Funded Debt, four Quarters to 10th Oct. 1822, exclusive of £. 15,811,710. 12s. 9d. issued to the Commissioners for the Reduction of the National Debt	29,400,897 4 2½	
Interest on Exchequer Bills and Irish Treasury Bills, exclusive of £. 301,250 for Sinking Fund	1,430,596 16 10½	
Issued to the Trustees of Military and Naval Pensions, per Act 3 Geo. 4, c. 51		36,921,494 1 1
Civil List, 4 Quarters to 5th Jan. 1823	1,087,000 0 0	1,400,000 0 0
Pensions charged by Act of Parliament upon Consolidated Fund, 4 Quarters to 10th Oct. 1822	378,437 5 1½	
Salaries and Allowances, Ditto	12,633 10 2½	
Officers of Courts of Justice, Ditto	83,377 12 3½	
Expenses of the Mint, Ditto	14,750 0 8	
Bounties, Ditto	2,056 13 8	
Miscellaneous, Ditto	183,716 7 3	
Ditto, Ireland, Ditto	248,253 6 9½	2,041,439 16 4
Army	7,698,973 16 6½	
Navy	4,945,642 2 1½	
Navy-Treasurer of Greenwich Hospital, to pay Out Pensions	248,000 0 0	
Ordnance	1,017,821 1 8½	
Miscellaneous	2,105,797 3 3½	
	16,006,234 4 2½	
Deduct the Sum issued to the Trustees of Military and Naval Pensions, being charged in the above issues of Supplies ..	1,400,000 0 0	14,606,234 4 2½
Bank of Ireland, Balance due for Advances for Commercial Credit	105,181 9 4½	
Interest on Advances made on the credit of the Loan, from the Sinking Fund in Ireland, 1821	6,546 9 7½	
By the Commissioners for issuing Exchequer Bills under Act 57 Geo. 3, c. 34 and 184, for the Employment of the Poor Advances out of the Consolidated Fund in Ireland, for Public Works	34,500 0 0	
	383,734 0 11	59,061 19 1½
Total Expenditure, exclusive of the Sums applied to the Reduction of the National Debt		35,167,221 13 7½
Surplus of Income paid into the Exchequer, over Expenditure thereout		4,015,519 19 9½
		60,102,741 13 3½

Whitehall Treasury Chambers, }
25th March 1823.

B. R. LUSHINGTON.

DISPOSITION OF GRANTS.

AN Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1822, have been disposed of; distinguished under their several Heads; to 5th January, 1823.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY.....	6,398,428	2	11	3,818,581	11	4
ORDNANCE	1,281,398	2	6	759,429	9	1½
FORCES	7,755,042	4	10½	6,262,304	0	1½
<i>For defraying the Charge of the Civil Establishments under-mentioned; viz.</i>						
Of Sierra Leone; from the 1st of January to the 31st of December 1822.....	22,176	12	10½	20,000	0	0
Ditto..New South Wales.. from Do. to Do.	13,347	2	6	7,000	0	0
Ditto..Newfoundland.... from Do. to Do.	6,488	10	0	4,000	0	0
Ditto..Pr. Edward's Island from Do. to Do.	3,520	15	0	3,520	15	0
Ditto..New Brunswick .. from Do. to Do.	6,757	10	0	3,000	0	0
Ditto..Nova Scotia..... from Do. to Do.	14,098	17	6	8,000	0	0
Ditto..Upper Canada.... from Do. to Do.	11,992	10	0	5,000	0	0
Ditto..Dominica..... from Do. to Do.	600	0	0	300	0	0
Of the Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and the incidental Charges attending the same	3,506	17	6	3,506	17	6
To pay off and discharge such of the Proprietors of Navy 5 per cent. Annuities, and of Irish 5 per cent. Annuities, payable at the Bank of England, as have signified their dissent to receive 4 pounds per cent. Annuities in lieu thereof	2,700,000	0	0	2,700,000	0	0
Royal Military College; from the 25th of December, 1821, to the 24th of December, 1822	13,662	1	7	10,112	14	11
Charge of the Royal Military Asylum; for the same time	26,149	14	6	17,290	15	7
For paying interest on Exchequer Bills, Irish Treasury Bills, and Mint Notes; for 1822	1,200,000	0	0	1,200,000	0	0
To be issued to the Commissioners for the Reduction of the National Debt; for 1822, in respect of Exchequer Bills	290,000	0	0	217,500	0	0
Works and Repairs of Public Buildings; for 1822	40,000	0	0	-	-	-
Extraordinary Expenses of the Mint, in the Gold Coinage; for 1822	10,500	0	0	10,500	0	0
Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for 1822.....	5,000	0	0	-	-	-

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expense of Law Charges; for 1822	25,000	0	0	25,000	0	0
Expense attending the confining, maintain- ing, and employing Convicts at Home; for 1822.....	81,363	0	0	81,363	0	0
Expenses of the Establishment of the Public Office, Bow-street, including the Horse and Foot Patrol, and of the Establish- ment of the River Police; for 1822	33,567	0	0	8,353	2	0
Amount of Bills drawn, or to be drawn, from New South Wales; for 1822	100,000	0	0	100,000	0	0
Salaries to certain Officers, and the Ex- penses of the Court and Receipt of Ex- chequer; for 1822	7,000	0	0	4,777	18	11
Salaries of the Commissioners of the Insol- vent Debtor's Court, of their Clerks, and the Contingent Expenses of the Office; for 1822.....	8,640	0	0	4,800	0	0
Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading courses of Lectures; for 1822	953	7	6	—		
Expenses of the House of Lords and Com- mons; for 1822	19,055	0	0	10,333	11	9
Salaries and Allowances to the Officers of the Houses of Lords and Commons; for 1822	22,800	0	0	16,302	12	3
Extraordinary Expenses of the Department of the Lord Chamberlain, for Fittings and Furniture for the two Houses of Par- liament; in 1822	4,800	0	0	1,795	5	8
Expense of certain Colonial Services, for- merly paid out of the Extraordinaries of the Army; for 1822.....	2,442	10	0	2,442	10	0
Charge for printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United King- dom, and for the acting Justices through- out Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords; for 1822	17,000	0	0	—		
Expense of printing the Votes of the House of Commons, during the present Session	3,500	0	0	3,500	0	0
Deficiency of the Grant of 1821, for printing the Votes of the House of Commons, dur- ing the last session	204	15	9	204	15	9
For paying, in the year 1822, the usual Al- lowances to Protestant Dissenting Minis- ters in England, Poor French Protestant Refugee Clergy, Poor French Protestant Refugee Lally, and sundry small Charit- able and other Allowances to the Poor of Saint Martin-in-the-Fields, and others...	7,296	8	10	3,556	3	11
Deficiency of the Grant of 1820, for the Supplemental Charge for Printing done						

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
by order of the House of Commons, per- taining to the session of 1819.....	5,434	7	1	5,434	7	1
Expense of printing Bills, Reports, and other Papers, by order of the House of Commons, during the present session ..	20,000	0	0	—		
Deficiency of the Grant of 1821 for printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords.....	1,235	10	2½	1,235	10	2½
Deficiency of the Grant of 1821, for print- ing Bills, Reports, and other Papers, by Order of the House of Commons, during the last session	10,479	14	7	10,479	14	7
Expense that may be incurred in 1822, for printing 1,750 copies of the 77th volume of the Journals of the House of Commons for the present Session	3,500	0	0	—		
Expense that may be incurred for reprint- ing Journals and Reports of the House of Commons; in 1822.....	3,000	0	0	—		
Foreign and other Secret Services; for 1822	40,000	0	0	21,553	10	0
For making good the Deficiencies in the Fee Funds, in the Departments of the Treasury, Three Secretaries of State, and Privy Council; for 1822.....	72,327	0	0	52,002	14	7
Contingent Expenses and Messengers Bills in the Departments of the Treasury, Three Secretaries of State, Privy Coun- cil, and Lord Chamberlain; for 1822.....	78,794	0	0	69,471	8	2
For defraying, in 1822, the Charge of Al- lowances or Compensations, granted or allowed as retired Allowances or Super- annuations, to Persons formerly employed in Public Offices or Departments, or in the Public Service, according to the Act of the 50th of his late Majesty	7,891	6	3	2,381	13	4
To pay off and discharge such of the pro- prietors of 5 per cent Annuities and Go- vernment Debentures, payable at the Bank of Ireland, as have signified their dissent to receive 4 per cent Annuities in lieu thereof	39,000	0	0	39,000	0	0
To pay off and discharge such of the pro- prietors of Navy 5 per cent Annuities, and of Irish 5 per cent Annuities, pay- able at the Bank of England, who have signified their dissent to receive 4 per cent Annuities in lieu thereof	38,000	0	0	37,359	0	10
To pay off and discharge such of the Pro- prietors of 5 per cent Annuities, and						

220 ANNUAL REGISTER, 1823.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Government Debentures, payable at the Bank of Ireland, as have signified their dissent, as Trustees, to receive 4 per cent Annuities in lieu thereof	24,000	0	0	—		
To make good the Deficiency of the Grants for the Service of the year 1821.....	290,456	13	5½	—		
For defraying the Deficiency of the Grant of 1821, for printing 1,750 Copies of the 76th volume of the Journals of the House of Commons	2,183	12	1	2,183	12	1
For enabling His Majesty to provide for such Expenses of a Civil nature as do not form a part of the ordinary Charges of the Civil List; for 1822	200,000	0	0	174,976	15	0½
For defraying the Expenses of Out-Pensioners of Greenwich Hospital; for 1822	310,000	0	0	160,000	0	0
To defray the Charge of Forts and Possessions on the Gold Coast of Africa; for 1822	20,000	0	0	12,000	0	0
The following SERVICES are directed to be paid, without any Fee or Deduction whatsoever.						
Expense of Works carrying on at the College of Edinburgh; for 1822	10,000	0	0	10,000	0	0
Expense of the building of a Penitentiary House at Millbank; for 1822	18,000	0	0	16,000	0	0
Expense of sundry Works, executing at Port Patriot Harbour; for the year 1822	10,000	0	0	10,000	0	0
For paying, in 1822, the Awards of the Commissioners established in London, in pursuance of an Act of the 58th of his late Majesty, for carrying into effect a Convention between his late Majesty and his Most Faithful Majesty, to Claimants of Portuguese Vessels and Cargoes, captured by British Cruisers, on account of the unlawful trading in Slaves, since the 1st of June, 1814.....	35,000	0	0	—		
Expense of the Penitentiary House at Millbank; from 24th June 1822 to 24th June 1823	23,000	0	0	—		
Expense of the National Vaccine Establishment; for 1822	3,000	0	0	3,000	0	0
American Loyalists; for 1822	7,500	0	0	3,000	0	0
Expense of confining and maintaining Criminal Lunatics; for 1822	3,306	10	0	1,698	12	3
Repairs of Henry the Seventh's Chapel; for 1822.....	1,847	0	0	1,847	0	0
British Museum; for 1822	9,425	13	0	9,425	13	0
For enabling His Majesty to grant Relief, in 1822, to Toulonese and Corsican Emigrants, Dutch Naval Officers, St. Domingo Sufferers, and others, who have heretofore received Allowances from His Ma-						

SERVICES.	SUMS Voted or Granted.			SUMS Voted or Granted.		
	£.	s.	d.	£.	s.	d.
jeſty, and who, from Services performed, or Losses ſuſtained in the Britiſh Service, have ſpecial claims upon His Ma- jeſty's juſtice and liberality	19,000	0	0	7,500	0	0
For the ſupport of the Inſtitution called The Refuge for the Deſtitute; for 1822	5,000	0	0	5,000	0	0
To enable the Commiſſioners for the Caledonian Canal, to proceed in opening the Navigation between the Eaſtern and Western Seas; in 1822	25,000	0	0	25,000	0	0
Expense of ſundry Works executing at Donaghadee Harbour; for 1822	15,000	0	0	15,000	0	0
Expense of ſundry Works executing at Port Patrick Harbour; for 1822.....	5,000	0	0	5,000	0	0
Expense of ſundry Works, propoſed to be done at Holyhead Harbour; in 1822.....	12,000	0	0	5,000	0	0
For diſcharging, in 1822, outſtanding Demands, relative to purchaſing Houſes and Grounds for the further Improve- ment of Weſtmiſter	1,000	0	0	—		
To complete the Payment of the Expences of erecting New Courts for the Commiſſioners of Bankrupts, in Baſinghall-ſtreet	2,700	0	0	2,700	0	0
To pay, in 1822, the Salaries and Incidental Expences of the Commiſſioners, ap- pointed, under the Treaty with Spain, Portugal, and the Netherlands, for pre- venting the illegal Traffic in Slaves	18,700	0	0	2,456	8	0
To make Compensation to Three of the Commiſſioners for inquiring into the Collection and Management of the Re- venue in Ireland, for their aſſiduity, care, and pains in the execution of the Truſts re- poſed in them by Parliament, for one year	4,500	0	0	4,500	0	0
Towards defraying the Expense of building the New Courts of Juſtice in Weſtmiſter Hall	30,000	0	0	—		
One year's Wages, to certain of the Servants of her late Maſteſty Queen Caroline	971	18	0	971	18	0
Compensation to Henry Burgess, for the Expenses incurred by him, in proſecut- ing his plan for the more ſpeedy con- veyance of Letters, and of his loſs of time and exertions, in that undertaking	7,300	0	0	7,300	0	0
To defray the Sums awarded to William Jauncey and Beverley Robinson, being two American Loyalists, whoſe Claims were not included in the liſt ſubmitted to parliament in the laſt ſeſſion	12,184	3	7	12,184	3	7
To complete the Sum of 12,500 <i>l.</i> on account of the Allowance which would have been due to her late Maſteſty Queen Caroline, on the 10th of October 1821, to be ap- plied towards the diſcharge of the Debts due by, and remaining unpaid out of the						

222 ANNUAL REGISTER, 1823.

SERVICES.	SUMS Voted or Granted.	SUMS Paid.
Effects of her late Majesty, to her British Creditors, for Works or Service done, or Goods supplied for her late Majesty's use To be paid to sir W. Adams, as a reward for the Services which he has rendered to the Public, in superintending the Ophthalmic Hospital	<div>£. s. d.</div> <div>8,247 8 5½</div> <div>4,900 0 0</div>	<div>£. s. d.</div> <div>8,247 8 5½</div> <div>4,000 0 0</div>
For defraying the Charge of the following Services in IRELAND, which are directed to be paid Nett in British Currency.		
For the employment of the poor in Ireland, and other purposes relating thereto, as the exigency of affairs may require To enable his Majesty to take such measures as the exigency of affairs in Ireland may require	<div>100,000 0 0</div> <div>200,000 0 0</div>	<div>92,307 13 10½</div> <div>92,307 13 10½</div>
Civil Contingencies in Ireland; for one year, ending the 5th Jan. 1823	20,000 0 0	18,253 9 2
For making good the Deficiency of the Grant of 1821, for defraying the Expense of Printing, Stationery, and other Disbursements of the Chief and Under Secretaries Offices and Apartments, and other Public Offices in Dublin Castle, &c.; and for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; and also superannuated Allowances in the Chief Secretary's Office	867 0 0	867 0 0
For making good the Deficiency of the Grant of 1821, for defraying the Expense of printing 1,500 Copies of a compressed-quarto edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland; and also 250 Copies of a folio edition of the same, bound for the use of the Lords, Bishops, and Public Offices in Ireland.....	1,202 5 2	1,202 5 2
Expense of printing 325 Copies of a folio edition of the Public General Acts of the present Session, for the use of the Lords, Bishops, and other Public Officers in Ireland; and also 1,500 Copies of a quarto edition, for the use of the acting resident Magistrates in Ireland	3,000 0 0	1,255 8 5
Expense of supporting the Non-conforming Ministers in Ireland, for one year.....	8,697 4 7½	6,522 18 5½
Expense of supporting the Seceding Ministers from the Synod of Ulster, in Ireland; for one year	4,034 15 5	2,017 7 8½
Expense of supporting the Protestant Dissenting Ministers in Ireland; for one year	756 0 0	756 0 0
For improving and completing the Harbour of Howth; in 1822	4,348 0 0	1,846 3 1

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expense of making a Survey of the River Shannon	2,023	0	0	923	1	6½
For carrying on the Works of the Harbour of Dunmore; in 1822	8,000	0	0	—		
Probable Expenditure of the Board of Works in Ireland; in 1822.....	16,154	0	0	11,060	16	1½
Expense of Printing, Stationery, and other Disbursements of the Chief and Under Secretaries Offices and Apartments, and other Public Offices in Dublin Castle, &c. and for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; and also superannuated Allowances in the Chief Secretary's Office; for one year, ending 5th Jan. 1823	17,500	0	0	13,118	0	1½
Expense of publishing Proclamations, and other matters of a public nature, in the Dublin Gazette, and other Newspapers in Ireland for the same time	7,000	0	0	6,374	11	5½
Expense of Criminal Prosecutions, and other Law Expenses in Ireland; for the same time.....	23,000	0	0	23,000	0	0
Expense of apprehending Public Offenders in Ireland; for the same time	1,500	0	0	129	4	7½
Salaries of the Lottery Officers in Ireland; for one year, ending the 24th day of June 1822.....	1,449	19	4	1,346		5½
Retired Allowances to several late Governors of the House of Industry, Dublin; for two years, ending the 5th Jan. 1823	1,200	0	0	1,015	7	8½
Expense of the Police and Watch Establishments of the City of Dublin; for one year, ending the 5th Jan. 1823	28,000	0	0	28,000	0	0
Allowances due to the several Persons who have been temporarily appointed to perform the duties of the Prothonotary, Clerk of the Rules, Filacer, Clerk of the Pleadings, and Chirographer of the Court of Common Pleas, in Ireland, and of their several Clerks and Assistants, as specified in an Act of the last Session, for regulating Proceedings in the Courts of Law in Ireland.....	3,092	6	2	3,092	6	2
Expenses of the Board of the Directors and Officers, and of the maintenance of Inland Navigations; for 1822	3,500	0	0	3,500	0	0
For carrying on the Works at the Royal Harbour of George the Fourth, at King's Town (formerly Dunleary)	30,000	0	0	18,461	10	9½
Salaries of the Commissioners appointed to inquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice, in all Temporal and Ecclesiastical Courts in Ireland; for one year ending the 5th Jan. 1823	7,200	0	0	4,866	1	6

224 ANNUAL REGISTER, 1823.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expense of the Royal Irish Academy; for the same time	300	0	0	—		
Expense of the Commissioners of Charitable Donations and Bequests; for the same time	500	0	0	500	0	0
Expense of Building Churches and Glebe Houses, and of purchasing Glebes in Ireland; for the same time.....	9,230	0	0	9,230	0	0
Expense of the Commissioners for making wide and convenient Streets in Dublin; for the same time	10,000	0	0	10,000	0	0
Expense of the Trustees of the Linen and Hempen Manufactures, for one year, ending the 5th Jan. 1823, to be by the said Trustees applied in such manner, as shall appear to them to be most conducive to promote and encourage the said Manufactures in Ireland.....	19,938	9	2½	19,938	9	2½
Additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for one year, ending the 5th Jan. 1823	276	18	5½	276	18	5½
Expense of the House of Industry, Hospitals, and Asylum for Industrious Children in Dublin; for the same time	19,000	0	0	13,846	3	0½
Expense of the Richmond Lunatic Asylum in Dublin; for the same time	5,000	0	0	5,000	0	0
Expense of the Female Orphan House, in the Circular Road near Dublin; for the same time.....	2,347	0	0	2,347	0	0
Expense of the Westmorland Lock Hospital in Dublin; for the same time	2,692	0	0	2,692	0	0
Expense of the Lying-in-Hospital in Dublin; for the same time	2,800	0	0	2,800	0	0
Expense of Doctor Stevens's Hospital; for the same time	1,400	0	0	1,400	0	0
Expense of the Fever Hospital and House of Recovery in Cork-street, Dublin; for the same time	3,692	0	0	3,692	0	0
Expense of the Hospital for Incurables in Dublin; for one year, ending the 5th Jan. 1823	300	0	0	300	0	0
Expense of the Protestant Charter Schools of Ireland; for the same time	17,000	0	0	17,000	0	0
Expense of the Foundling Hospital in Dublin; for the same time.....	20,000	0	0	20,000	0	0
Expense of the association incorporated for discountenancing Vice, and promoting the knowledge and practice of the Christian Religion in Ireland; for the same time	6,464	0	0	6,464	0	0
Expense of the Society for promoting the Education of the Poor in Ireland; for the same time.....	10,000	0	0	8,307	13	10
For enabling the lord-lieutenant of Ireland to issue Money, from time to time, in aid						

APPENDIX TO CHRONICLE. 225

SERVICES.	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
of Schools established by Voluntary Contributions	4,000 0 0	—
Expense of the Hibernian Society for Soldiers Children; for the same time.....	7,600 0 0	7,600 0 0
Expense of the Hibernian Marine Society in Dublin; for the same time.....	1,600 0 0	1,600 0 0
Expense of the Establishment of the Roman Catholic Seminary in Ireland; for the same time.....	8,928 0 0	6,646 3 1
Expense of the Royal Cork Institution; for the same time	2,000 0 0	2,000 0 0
Expense of the Royal Dublin Society; for the same time	7,000 0 0	7,000 0 0
Expense of the Farming Society of Ireland; for the same time.....	2,500 0 0	2,500 0 0
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1818, 1819, 1820, 1821, and 1822, now remaining unpaid or unprovided for ... £.29,000,000 0 0		
To pay off and discharge Exchequer Bills issued pursuant to several Acts of the 57th and 58th of his late Majesty, and one Act of the 1st of his present Majesty, for authorising the issue of Exchequer Bills, for the carrying on Public Works and Fisheries in the United Kingdom; and for building, and promoting the Building, of additional Churches, over and above the amount granted in the two last Sessions of Parliament, for the discharge of the Exchequer Bills issued under the two first-mentioned Acts ...	263,150 0 0	
	29,263,150 0 0	24,026,150 0 0
To pay off and discharge Irish Treasury Bills charged upon the Aids or Supplies of the year 1822, outstanding and unprovided for	1,000,000 0 0	
Towards paying off and discharging Treasury Bills issued in Ireland, in the year ended the 5th day of Jan. 1822, to make good to the governor and		

226 ANNUAL REGISTER, 1823.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
company of the Bank of Ireland, the sum remaining unpaid to the said governor and company, on the 11th of July, 1821, on account of money advanced by them under an act of the 1st year of the reign of his present Majesty, for the assistance of Trade and Manufactures in Ireland, by authorising the advance of certain sums for the Support of Commercial Credit there						
	105,181	9	4½			
	1,105,181	9	4½	1,105,181	9	4½
	51,629,437	8	3¼	41,685,079	12	3¼

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January, 1823.			Estimated further Miscellaneous Payments.		
	£.	s.	d.	£.	s.	d.
William Rose Haworth, esq. on his salary for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1.	150	0	0	—		
Grosvenor Charles Bedford, esq. his Successor	—			50	0	0
Expenses in the Office of the Commissioners for the Reduction of the National Debt ..	5,400	0	0	2,350	0	0
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. 3, c. 45.....	3,000	0	0	—		
Expenses in the Office of the Commissioners for issuing Commercial Exchequer Bills	3,000	0	0	—		
Expenses in the Office of the Commissioners for inquiring into the Collection and Management of the Revenue in Ireland.	8,000	0	0	—		
Bank of England, for Management on Life Annuities	1,827	15	7½	—		
Expenses in the Office of the Commissioners for the Redemption of the Land-tax.....	—			2,413	12	11

APPENDIX TO CHRONICLE.

227

	Sums Paid to 5th January, 1823.	Estimated further Mis- cellaneous Payments.
	£. s. d.	£. s. d.
For defraying the Charges of preparing and drawing the Lotteries for 1822, &c.	—	17,000 0 0
Repayment of Annuities claimed pursuant to Act 56 Geo. 3, c. 142	31 10 0	—
	21,409 5 7½	21,813 12 11
		21,409 5 7½
Total Payments for Services not voted		43,222 18 6½
Amount of Sums voted as above.....		51,629,437 8 3½
Total Sums voted, and Payments for Services not voted...		51,672,660 6 10½

WAYS AND MEANS

for answering the foregoing Services.

Duty on Sugar, Tobacco and Snuff, Foreign Spirits and Sweets, and on Pensions, Offices, &c.	£. s. d.
Excise Duty on Tea, per Act 59 Geo. 3, c. 53.....	3,000,000 0 0
Profits of Lotteries, estimated at	1,500,000 0 0
Monies to arise from the Sale of Old Naval and Victualling Stores.....	200,000 0 0
Loan per Act 3 Geo. 4, c. 73, from the Commissioners for the Reduction of the National Debt.....	151,000 0 0
Trustees for the Payment of Naval and Military Pensions, and Civil Superannuations, per Act 3 Geo. 4, c. 51.....	7,500,000 0 0
East India Company, per Act 3 Geo. 4, c. 93	2,450,000 0 0
Unclaimed Dividends, &c., after deducting Repayments to the Bank of England, for Deficiencies of Balance in their hands	508,617 0 0
Interest on Land Tax redeemed by Money	1,666 5 1
Do. Stock	52 2 9½
Voluntary Contributions, per Act 3 Geo. 4, c. 27.....	6,000 0 0
Repayments on account of Exchequer Bills issued pursuant to two Acts of the 57th year of his late Majesty, for carrying on Public Works and Fisheries in the United Kingdom	15,780 10 0
	183,500 0 0
	15,516,615 17 11½
Exchequer Bills voted in Ways and Means; viz.	
3 Geo. 4. c. 8.....	£ 20,000,000 0 0
3 Geo. 4, c. 122	16,500,000 0 0
	36,500,000 0 0
Total Ways and Means	52,016,615 17 11½
Total Sums voted, and Payments for Services not voted	51,672,660 6 10½
Surplus Ways and Means.....	343,955 11 1

Mem.—The sum of 4,000,000*l.* was authorized by Act 3 Geo. 4, c. 127, to be applied out of the Ways and Means granted for the Service of the year 1821, and the like Sum was granted out of the Ways and Means 1822, to discharge the like amount of Supplies for the Service of the year 1821.

UNFUNDED DEBT.

AN Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on the 5th January, 1823.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills.....	1,337,000	0	0	34,944,150	0	0	36,281,150	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament	4,591,592	11	7½	-	-	-	4,591,592	11	7½
Advances made out of Consolidated Fund in Ireland, towards Supplies which are to be repaid to Consolidated Fund, out of Ways and Means in Great Britain	613,027	18	3½	-	-	-	613,027	18	3½
TOTAL Unfunded Debt, and Demands outstanding	6,541,620	9	11½	34,944,150	0	0	41,485,770	9	11½
Ways and Means	7,010,668	7	9½	-	-	-	-	-	-
Surplus Ways and Means.....	469,047	17	10½	-	-	-	-	-	-
Exchequer Bills to be issued to complete the Charge upon Consolidated Fund ...	-	-	-	5,928,354	13	3	5,928,354	13	3

Whitehall Treasury Chambers, 25th March, 1823.

S. R. LUSHINGTON.

APPENDIX TO CHRONICLE. 229

An Account of the State of the PUBLIC FUNDED DEBTS of GREAT BRITAIN and IRELAND, and of the CHARGE thereupon at the 5th of January, 1823, including the Debt created by 7,500,000*l.* raised in 1822.

CHARGE.

	1. CAPITALS.			2. CAPITALS redeemed and transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
IN GREAT BRITAIN.									
Debt due to the South Sea } at £.3 per cent	3,062,784	8	6	..	..	..	3,062,784	8	6
Company									
Old South Sea Annuities Do. ..	4,795,870	2	7	157,000	0	0	4,638,870	2	7
New South Sea Annuities Do. ..	3,219,330	2	10	53,000	0	0	3,166,330	2	10
South Sea Annuities, 1751 Do. ..	735,600	0	0	11,000	0	0	724,600	0	0
Debt due to the Bank of England Do. ..	14,686,600	0	0				14,686,600	0	0
Bank Annuities, created in 1766 Do. ..	1,000,000	0	0	1,641	19	10	998,358	0	2
Consolidated Annuities Do. ..	376,045,172	18	0	10,206,286	16	5	365,775,886	2	1
Reduced Annuities Do. ..	136,321,680	19	8	2,910,360	1	3	133,411,111	18	5
Total at £.3 per cent	340,467,238	12	1	13,402,497	17	6	327,064,740	14	7
Annuities at £.3½ per cent ..	16,205,440	14	2	197,700	0	0	16,008,740	14	2
Consolidated Annuities Do. ..	74,462,645	12	4	118,784	14	3	74,343,860	18	1
New £.4 per cent Annuities	147,200,668	2	0	199,599	13	5	147,001,068	8	7
£.5 per cents 1797 and 1802	1,013,968	12	4	6,060	5	11	1,008,608	6	5
Great Britain	779,940,661	12	11	13,923,542	11	1	766,017,019	1	10
IN IRELAND.									
(In British Currency.)									
Debt due to the Bank of Ireland, at £4 } per cent	1,515,384	12	4	..	..	..	1,515,384	12	4
Do. Do. .. at £.5 Do. ..	1,015,884	12	4	..	..	..	1,015,384	12	4
£.3½ per cent Debentures and Stock	20,466,758	9	3	7,827,841	13	10	12,638,916	15	5
£.4 per cent Do. Do.	1,024,580	10	4	163,338	9	3	861,242	1	1
New £.4 per cent Do. Do.	9,658,385	8	8	..	..	..	9,658,385	8	8
Ireland	33,780,875	12	11	7,991,480	9	1	25,789,393	9	10
Total United Kingdom	818,721,135	5	10	21,914,922	14	2	796,806,312	11	8

	—		STOCK.	
	£.	s. d.	£.	s. d.
<i>Note.</i> —THE above Columns, 1 & 2, show the Totals of Debt for the United Kingdom, after deducting the Stock directed to be cancelled by various Acts of Parliament; viz. To provide for the Charge of Loans, and by redemption of Land Tax, at the 5th January, 1822 .....	..	..	352,035,839	14 5
Directed to be cancelled by Acts of the year 1822, to provide for the Charge of Military and Naval Pensions and Superannuations; for Interest of Unredeemed East India Debt incorporated with Great Britain; and for the Charge of Sinking Fund Loan, 1823	102,227,572	0 0 3 per cts.		
	5,076,000	0 0 3½ per cts.		
For Redemption of Land Tax	107,305,572	0 0		
	90,935	7 6 3 per cts.		
			107,396,507	7 6
			159,432,347	1 11

PUBLIC FUNDED DEBT (*continued*).

CHARGE.				
		In Great Britain, including Portugal.	In Ireland. In British Currency.	Total Annual Charge.
		£. s. d.	£. s. d.	£. s. d.
Sinking Fund	Annual Grants	1,200,000 0 0	62,445 5 7	
	Expired Annuities	79,880 14 6	66,616 6 6	
	Exchequer Life Annuities, Un- claimed and Expired	51,099 3 1	—	
	Per Centage on Capitals created by Loans	11,504,877 16 8	266,441 11 8	
	Annual Interest on Stock re- deemed	421,992 16 6	280,507 19 11	
	Long Annuities	11,798 7 0	—	
		13,270,538 18 3	676,011 3 8	
Due to the Public Creditor.	Annual Interest on Unredeemed Debt	25,299,625 15 0	978,531 1 11	
	Long Annuities, expired 1860..	1,347,537 11 2	—	
	Life Annuities, payable at the Exchequer	28,944 10 5	—	
	Do Irish Life Annuities	35,461 7 9	7,127 10 9	
		26,711,669 4 4	985,658 12 8	
Management		282,388 19 10	660 0 0	
		26,994,058 4 2	986,318 12 8	
		40,264,597 2 5	1,662,329 16 4	41,926,926 18 9
The Trustees of Military and Naval Pensions and Civil Superannuations		2,800,000 0 0	.. ..	2,800,000 0 0
Total United Kingdom		43,064,597 2 5	1,662,329 16 4	44,726,926 18 9

TRADE AND NAVIGATION OF THE UNITED KINGDOM.

APPENDIX TO CHRONICLE.

231

I.—TRADE OF GREAT BRITAIN.

An Account of the Value of all Imports into, and of all Exports from GREAT BRITAIN, during each of the Three Years ending the 5th January, 1823 (stated exclusive of the Trade with Ireland).

YEARS ending 5th January.	VALUE OF IMPORTS calculated at the Official Rates of Valuation.			VALUE OF EXPORTS calculated at the Official Rates of Valuation.						Value of the Produce and Manufactures Exported according to the Real and Declared Value thereof.		
	£.	s.	d.	Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandise.		Total Exports.			
1821...	31,484,108	11	8	£.	s.	d.	£.	s.	d.	£.	s.	d.
1822... VALUE, exclusive of the Trade with Ireland.	29,724,173	13	7	37,818,035	13	3	10,525,025	18	8	48,343,051	11	11
				40,194,892	13	11	10,602,090	0	0	50,796,982	13	11
				43,558,488	12	9	9,211,927	16	10	52,770,416	9	7
1823...	29,401,807	10	10									
										35,568,669	9	5
										35,826,082	13	7
										36,176,896	13	11

Inspector General's Office, Custom House, }
London, 14th March 1823.

WILLIAM IRVING,
Inspector General of Imports and Exports.

PUBLIC FUNDED DEBT (*continued*).

CHARGE.						
		In Great Britain, including Portugal.		In Ireland. In British Currency.		Total Annual Charge.
		£.	s. d.	£.	s. d.	£. s. d.
Sinking Fund	Annual Grants	1,200,000	0 0	62,445	5 7	
	Expired Annuities	79,880	14 6	66,616	6 6	
	Exchequer Life Annuities, Un- claimed and Expired	51,099	3 1	—		
	Per Centage on Capitals created by Loans	11,504,877	16 8	266,441	11 8	
	Annual Interest on Stock re- deemed	421,982	16 6	280,507	19 11	
	Long Annuities	11,798	7 0	—		
		13,270,538	18 3	676,011	3 8	
Due to the Public Creditor.	Annual Interest on Unredeemed Debt	25,299,625	13 0	978,531	1 11	
	Long Annuities, expired 1860...	1,347,637	11 2	—		
	Life Annuities, payable at the Exchequer	28,944	10 5	—		
	Do Irish Life Annuities	35,461	7 9	7,127	10 9	
Management		26,711,669	4 4	985,688	12 8	
		282,388	19 10	660	0 0	
The Trustees of Military and Naval Pensions and Civil Superannuations		26,994,058	4 2	986,318	12 8	
		40,264,597	2 5	1,662,329	16 4	41,926,926 18 9
		2,800,000	0 0	.. ..		2,800,000 0 0
Total United Kingdom		43,064,597	2 5	1,662,329	16 4	44,726,926 18 9

TRADE AND NAVIGATION OF THE UNITED KINGDOM.

I.—TRADE OF GREAT BRITAIN.

An Account of the Value of all Imports into, and of all Exports from GREAT BRITAIN, during each of the Three Years ending the 5th January, 1823 (stated exclusive of the Trade with Ireland).

YEARS ending 5th January.	VALUE OF IMPORTS calculated at the Official Rates of Valuation.	VALUE OF EXPORTS calculated at the Official Rates of Valuation.			Value of the Produce and Manufactures Exported according to the Real and Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	Total Exports.	
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1821...	31,484,108 11 8	37,818,035 13 3	10,525,025 18 8	48,343,051 11 11	35,568,669 9 5
1822...	29,724,173 13 7	40,194,892 13 11	10,602,090 0 0	50,796,982 13 11	35,926,082 13 7
1823...	29,401,807 10 10	43,558,488 12 9	9,211,927 16 10	52,770,416 9 7	36,176,896 13 11

VALUE,
exclusive of
the Trade with
Ireland.

Inspector General's Office, Custom House,
London, 14th March 1823.

WILLIAM IRVING,
Inspector General of Imports and Exports.

TRADE OF IRELAND.

An Account of the Value of Imports into, and of all Exports from IRELAND, during each of the Three Years ending 5th January, 1823 (stated inclusive and exclusive of the Trade with GREAT BRITAIN).

YEARS ending 5th January.	VALUE OF IMPORTS into Ireland, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM IRELAND, calculated at the Official Rates of Valuation.			Value of the Produce and Manufactures of the United Kingdom, exported from Ireland, as computed at the Average Prices Current.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	Total Exports.	
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
VALUE exclusive of the Trade with Great Britain. {	1821... 1822... 1823...	7,089,441 11 6 7,703,867 11 8½ 6,771,607 2 3½	69,781 6 11 77,785 4 3½ 54,302 7 3	7,179,222 18 5 7,781,662 18 0 6,825,909 9 6½	10,308,713 11 9½ 9,808,087 19 7½ 7,871,237 10 2
VALUE exclusive of the Trade with Great Britain. {	1821... 1822... 1823...	577,569 13 11 636,852 3 6½ 676,044 9 7	30,896 11 7 27,599 5 7½ 15,661 10 1	608,406 5 6 664,451 9 2 693,705 16 8	855,983 4 6½ 833,548 2 5 792,067 15 10

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January, 1821, 1822, and 1823, respectively.

	In the Years ending the 5th January,			
	1821.		1822.	
	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	619	66,691	585	58,076
Isles Guernsey, Jersey, and Man	16	1,461	13	1,406
British Plantations	243	16,440	275	15,365
Total	868	84,592	873	74,847
			723	62,534

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and Boys usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 30th September, in the Years 1820, 1821, and 1822, respectively.

	On 30th Sept. 1820.				On 30th Sept. 1821.				On 30th Sept. 1822.			
	Vessels.	Tons.	Men.		Vessels.	Tons.	Men.		Vessels.	Tons.	Men.	
United Kingdom	21,473	2,412,804	155,235		21,163	2,339,313	160,494		20,756	2,388,999	147,520	
Isles Guernsey, Jersey, & Man	496	26,225	3,775		489	26,639	3,859		482	26,404	3,788	
British Plantations	3,405	209,564	15,304		3,384	204,350	14,896		3,404	203,641	15,016	
Total	25,374	2,648,593	174,414		25,036	2,560,293	169,179		24,642	2,519,044	166,333	

NAVIGATION OF THE UNITED KINGDOM—continued.

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to all parts of the World, exclusive of the intercourse between GREAT BRITAIN and IRELAND respectively) during each of the three Years ending 5th January, 1823.

Years ending 5th January,	INWARDS.									
	BRITISH AND IRISH.			FOREIGN.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1821	11,285	1,668,060	100,325	3,472	447,611	27,633	14,757	2,115,671	127,958	
1822	10,805	1,599,423	97,485	3,261	396,107	26,043	14,066	1,995,530	123,528	
1823	11,087	1,663,627	98,980	3,389	469,151	28,421	14,476	2,132,778	127,401	
Years ending 5th January,	OUTWARDS.									
	BRITISH AND IRISH.			FOREIGN.			TOTAL.			
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	
1821	10,102	1,549,508	95,849	2,969	433,328	24,545	13,071	1,982,836	120,394	
1822	9,797	1,488,644	92,377	2,626	383,786	22,162	12,423	1,872,430	115,539	
1823	10,023	1,539,260	96,998	2,843	457,542	25,394	12,866	1,996,802	121,392	

PUBLIC GENERAL ACTS

Passed in the FOURTH Session of the SEVENTH Parliament of the United Kingdom of Great Britain and Ireland—3 and 4 GEO. IV. 1823.

- I. AN Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively, until the 25th day of March, 1824; to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors, to make and file the same on or before the 1st day of Hilary Term 1824; and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates. (27 February, 1823.)
- II. An Act to amend an Act of the last session of parliament, for regulating the trade between his majesty's possessions in America and the West Indies and other parts of the world. (7 March.)
- III. An Act for continuing to his majesty for one year certain duties on sugar, tobacco, and snuff, foreign spirits, and sweets, in Great Britain; and on pensions, offices, and personal estates in England; and for receiving the contributions of persons receiving pensions and holding offices; for the service of the year 1823. (7 March.)
- IV. An Act for raising the sum of twenty millions by exchequer bills for the service of the year 1823. (7 March.)
- V. An Act to render valid certain marriages. (7 March.)
- VI. An Act for applying certain monies therein mentioned for the service of the year 1823. (19 March.)
- VII. An Act to regulate the appointment and swearing into office of the chancellor of the exchequer of Ireland. (19 March.)
- VIII. An Act to continue until the 25th day of July, 1824, and from thence to the end of the then next session of parliament, an Act made in the fifty-fourth year of his late majesty, for rendering the payment of creditors more equal and expeditious in Scotland. (19 March.)
- IX. An Act to repeal the rates, duties, and taxes payable in respect of male servants, horses, carriages, and dogs, in Ireland. (19 March.)
- X. An Act to rectify a mistake in an Act, intituled, "an Act for making and maintaining certain roads and bridges in the counties of Lanark and Dumbarton," in so far as relates to the application of certain exchequer bills therein mentioned. (19 March.)
- XI. An Act for repealing certain of the duties of assessed taxes; for reducing certain other of the said duties; and for relieving persons who have compounded for the same. (19 March.)
- XII. An Act for the regulating of his majesty's royal marine forces while on shore. (24 March.)
- XIII. An Act for punishing mutiny and desertion; and for the better payment of the army and their quarters. (24 March.)
- XIV. An Act to continue for five years, and from thence until the end of the then next session of parliament, two Acts made in the forty-seventh and fiftieth years of the reign of his late majesty King George the Third, for the preventing improper persons from having arms in Ireland. (24 March.)
- XV. An Act to continue for five years, and from thence until the end of the then next session of parliament, and to amend the laws relating to Yeomanry corps, in Ireland. (24 March.)

- XVI. An Act to explain so much of the general Turnpike Act, as relates to the toll payable on carriages laden with lime for the improvement of land. (24 March.)
- XVII. An Act to repeal certain provisions of an Act passed in the third year of his present majesty, intituled, "an Act to amend certain provisions of the twenty-sixth of George the Second, for the better preventing of clandestine marriages." (26 March.)
- XVIII. An Act concerning the disposition of certain property of his majesty, his heirs and successors. (26 March.)
- XIX. An Act for further regulating the reduction of the national debt. (26 March.)
- XX. An Act for fixing the rates of subsistence to be paid to inn-keepers and others on quartering soldiers. (2 May.)
- XXI. An Act for granting and applying certain sums of money for the service of the year 1823. (2 May.)
- XXII. An Act to confirm an agreement entered into by the trustees under an Act of the last session of parliament, for apportioning the burthen occasioned by the military and naval pensions, and civil superannuations, with the governor and company of the Bank of England.
- XXIII. An Act to consolidate the several boards of Customs, and also the several boards of Excise, of Great Britain and Ireland. (2 May.)
- XXIV. An Act to make more effectual provision for permitting goods imported to be secured in Warehouses, or other places, without payment of duty on the first entry thereof. (12 May.)
- XXV. An Act for regulating the number of apprentices to be taken on board British merchant vessels; and for preventing the desertion of seamen therefrom. (12 May.)
- XXVI. An Act to repeal the duties on certain articles, and to provide for the gradual discontinuance of the duties on certain other articles, the manufacture of Great Britain and Ireland respectively, on their importation into either country from the other. (23 May.)
- XXVII. An Act to amend an Act passed in the seventh year of the reign of his late majesty King George the Third, respecting justices of the quorum in cities and towns corporate. (23 May.)
- XXVIII. An Act for the more speedy reddition of the number of sergeants, corporals, and drummers in the militia of Ireland, when not in actual service. (23 May.)
- XXIX. An Act to increase the power of magistrates, in cases of Apprenticeships. (23 May.)
- XXX. An Act to regulate the importation and exportation of certain articles subject to duties of excise, and certain other articles the produce or manufacture of Great Britain and Ireland respectively, into and from either country from and to the other. (30 May.)
- XXXI. An Act to amend an Act passed in the nineteenth year of the reign of his late majesty King George the Second, intituled, "an Act more effectually to prevent profane cursing and swearing." (30 May.)
- XXXII. An Act for the amendment of the laws respecting charitable loan societies in Ireland. (30 May.)
- XXXIII. An Act to make more effectual regulations for the election, and to secure the performance of the duties, of county treasurers in Ireland. (30 May.)
- XXXIV. An Act to enlarge the powers of justices in determining complaints between masters and servants, and between masters, apprentices, artificers, and others. (17 June.)
- XXXV. An Act to enable trustees or commissioners under acts of parliament to meet and carry such acts into execution, although they may not have met according to the directions of such acts. (27 June.)
- XXXVI. An Act to discourage the granting of leases in joint tenancy in Ireland. (27 June.)
- XXXVII. An Act to amend an Act for the more speedy return and levying of fines, penalties, and forfeitures, and recognizances estreated. (27 June.)
- XXXVIII. An Act for settling the compensation to the holders of certain offices in the courts of law in Ireland, abolished under an Act passed in the first and second years of the reign of his present majesty, for regulating the same. (27 June.)
- XXXIX. An Act to continue an Act of the last session of parliament, for allowing a drawback of the whole of

- the duties of customs on brimstone used and consumed in Great Britain in the making and preparing oil of vitriol or sulphuric acid. (27 June.)
- XL. An Act to amend several Acts for the regulation of the linen and hempen manufactures in Scotland. (27 June.)
- XLi. An Act for the registering of vessels. (27 June.)
- XLii. An Act to amend several Acts for the assistance of trade and manufactures, and the support of commercial credit in Ireland. (27 June.)
- XLiii. An Act to regulate the amount of presentments by grand juries, for payment of the public officers of the several counties in Ireland. (27 June.)
- XLiv. An Act to repeal the duties and drawbacks on Barilla imported into the United Kingdom, and to grant other duties and drawbacks in lieu thereof. (27 June.)
- XLv. An Act for allowing persons to compound for their assessed taxes for the remainder of the periods of composition limited by former acts; and for giving relief in certain cases therein mentioned. (4 July.)
- XLvi. An Act for repealing the capital punishments inflicted by several Acts of the sixth and twenty-seventh years of King George the Second, and of the third, fourth, and twenty-second years of King George the Third; and for providing other punishments in lieu thereof, and in lieu of the punishment of frame-breaking under an Act of the twenty-eighth year of the same reign. (4 July.)
- XLvii. An Act for authorizing the employment at labour, in the colonies, of male convicts under sentence of transportation. (4 July.)
- XLviii. An Act for enabling courts to abstain from pronouncing sentence of death in certain capital felonies. (4 July.)
- XLix. An Act for regulating turnpike roads in that part of Great Britain called Scotland.
- L. An Act for the rebuilding of London Bridge, and for improving and making suitable approaches thereto. (4 July.)
- Li. An Act to encourage the consumption of beer; and to amend the laws for securing the excise duties thereon. (8 July.)
- Lii. An Act to alter and amend the law relating to the interment of the remains of any person found *Felo-de-se*. (8 July.)
- Liii. An Act for extending the benefit of clergy to several larcenies therein mentioned. (8 July.)
- Liv. An Act for allowing the benefit of clergy to persons convicted of certain felonies under two Acts, of the ninth year of King George the First and of the twenty-seventh year of King George the Second; for making better provision for the punishment of persons guilty of sending or delivering threatening letters, and of assaults with intent to commit robbery. (8 July.)
- Lv. An Act to consolidate and amend the several Acts now in force, so far as the same relate to the election and return of members to serve in parliament, for counties of cities and counties of towns in Ireland. (8 July.)
- Lvi. An Act for maintaining in repair the military and parliamentary roads and bridges in the Highlands of Scotland, and also certain ferry-piers and shipping-quays erected by the commissioners for Highland roads and bridges. (8 July.)
- Lvii. An Act to defer the commencement of the duties and drawbacks on barilla, under an Act of this present session of parliament. (9 July.)
- Lviii. An Act to continue, until the 1st Day of August, 1824, an Act, made in the last session of parliament for suppressing insurrections and preventing disturbances of the public peace in Ireland. (9 July.)
- Lix. An Act to defray the charge of the pay, clothing, and contingent and other expenses of the disembodied militia in Great Britain and Ireland; and to grant allowances in certain cases to subaltern officers, adjutants, quartermasters, surgeons, assistant surgeons, surgeons mates, and sergeant majors of militia, until the 25th day of March, 1824. (9 July.)
- Lx. An Act for granting to his majesty a sum of money to be raised by lotteries. (9 July.)
- Lxi. An Act for the better administration of justice in the court of Chancery in Ireland. (10 July.)
- Lxii. An Act to repeal the duties upon horses let to hire for the purpose of travelling in Great Britain, and to grant other duties in lieu thereof; and to provide for letting the same to farm. (10 July.)

- LXIII.** An Act to authorize the advance of money by the commissioners under several Acts for the issue of exchequer bills for public works, for the building, rebuilding, enlarging, or repairing of gaols in England. (10 July.)
- LXIV.** An Act for consolidating and amending the laws relating to the building, repairing, and regulating of certain gaols and houses of correction in England and Wales. (10 July.)
- LXV.** An Act to extend two Acts of his late majesty, for distribution of prize money, to all cases of capture that have been made by foreign ships or land forces in conjunction with his majesty's ships or land forces. (10 July.)
- LXVI.** An Act to authorize, in certain cases the reduction of the duties, payable in Ireland, and the alteration of the duties and drawbacks on the importation and exportation of goods between Great Britain and Ireland. (10 July.)
- LXVII.** An Act to declare valid certain marriages that have been solemnized at St. Petersburg since the abolition of the British factory there. (10 July.)
- LXVIII.** An Act for rectifying mistakes in the names of the land-tax commissioners, and for appointing additional commissioners, and indemnifying such persons as have acted without due authority in execution of the Acts therein recited. (10 July.)
- LXIX.** An Act to repeal certain duties of customs in Great Britain, and to grant other duties in lieu thereof; to grant certain bounties on salted provisions and silk manufactures exported; and to make more effectual regulations for collecting the duties of customs. (11 July.)
- LXX.** An Act for the better administration of justice in the equity side of the court of exchequer in Ireland. (11 July.)
- LXXI.** An Act for defraying the charge of retiring pay, pensions, and other expences of that nature, of his majesty's forces serving in India; for establishing the pensions of the bishop, archdeacons, and judges; for regulating ordinations; and for establishing a court of judicature at Bombay. (11 July.)
- LXXII.** An Act to repeal the several duties and drawbacks of customs chargeable and allowable in Ireland, on the importation and exportation of certain foreign and colonial goods, wares and merchandize, and to grant other duties and drawbacks in lieu thereof, equal to the duties and drawbacks chargeable and allowable thereon in Great Britain. (11 July.)
- LXXIII.** An Act to facilitate the recovery of Damages for malicious injuries to property in Ireland. (11 July.)
- LXXIV.** An Act for vesting in commissioners the bridges now building over the Menai Straits and the river Conway, and the harbours of Howth and Holyhead, and the road from Dublin to Howth; and for the further improvement of the road from London to Holyhead. (11 July.)
- LXXV.** An Act for enabling his majesty to enclose part of Kew Green, and for dividing and extinguishing rights of common over certain lands in the parish of Kew in the county of Surrey. (11 July.)
- LXXVI.** An Act for amending the laws respecting the solemnization of marriages in England. (18 July.)
- LXXVII.** An Act to authorize his majesty, under certain circumstances, to regulate the duties and drawbacks on goods imported or exported in foreign vessels; and to exempt certain foreign vessels from pilotage. (18 July.)
- LXXVIII.** An Act to grant additional stamp duties on certain proceedings in the court of chancery and in the equity side of the court of exchequer in Ireland. (18 July.)
- LXXIX.** An Act for building additional places of worship in the Highlands and islands of Scotland. (18 July.)
- LXXX.** An Act to consolidate and amend the several laws now in force with respect to trade from and to places within the limits of the charter of the East India Company, and to make further provisions with respect to such trade; and to amend an Act of the present session of parliament, for the registering of vessels, so far as it relates to vessels registered in India. (18 July.)
- LXXXI.** An Act to consolidate and amend the laws for punishing mutiny and desertion of officers and soldiers in the service of the East India Company; and to authorize soldiers and sailors in the East Indies to send and receive letters at a reduced rate of postage. (18 July.)

- LXXXII.** An Act to authorize for one year, and from thence to the end of the then next session of parliament, the temporary removal of convicts from the general penitentiary. (18 July.)
- LXXXIII.** An Act for the better protection of the property of merchants and others, who may hereafter enter into contracts or agreements in relation to goods, wares, or merchandizes intrusted to factors or agents. (18 July.)
- LXXXIV.** An Act to repeal the laws for regulating vessels carrying passengers from the United Kingdom to foreign parts, and to make other provisions in lieu thereof. (18 July.)
- LXXXV.** An Act for empowering commissioners, to be appointed by his majesty, to inquire into the forms of process in the courts of law in Scotland, and the cause of appeals from the court of sessions to the House of Lords. (18 July.)
- LXXXVI.** An Act to amend the laws for collecting church rates, and money advanced by the trustees and commissioners of the first fruits of ecclesiastical benefices, and for the improvement of church lands, in Ireland. (18 July.)
- LXXXVII.** An Act to amend and render more effectual the provisions of an Act, made in the fiftieth year of his late majesty's reign, for preventing the administering and taking unlawful oaths in Ireland. (18 July.)
- LXXXVIII.** An Act for regulating vessels carrying passengers between Great Britain and Ireland. (18 July.)
- LXXXIX.** An Act to limit and regulate the expense of certain proceedings in the courts of justice in Ireland in the particulars therein mentioned. (18 July.)
- XC.** An Act to regulate the linen and hempen manufactures of Ireland. (18 July.)
- XCI.** An Act to relieve his majesty's subjects from all doubt concerning the validity of certain marriages solemnized abroad. (18 July.)
- XCII.** An Act for extending the annuity granted to earl St. Vincent to the present viscount St. Vincent, and the next person to whom the title of viscount St. Vincent shall descend. (18 July.)
- XCIII.** An Act to divide the county of Cork, for the purpose of holding additional general sessions therein. (18 July.)
- XCIV.** An Act to grant certain duties of excise upon spirits distilled from corn or grain in Scotland and Ireland, and upon licences for stills for making such spirits; and to provide for the better collecting and securing such duties, and for the warehousing of such spirits without payment of duty. (18 July.)
- XCv.** An Act to explain and amend an Act, passed in the Third year of the reign of his present majesty, to amend the general laws now in being for regulating turnpike roads in that part of Great Britain called England. (19 July.)
- XCVI.** An Act to provide, until the 1st day of July, 1827, and until the end of the next session of parliament, for the better administration of justice in New South Wales and Van Dieman's Land, and for the more effectual government thereof; and for other purposes relating thereto. (19 July.)
- XCvII.** An Act for the regulation of the court of the commissaries of Edinburgh; and for altering and regulating the jurisdiction of inferior commissaries in Scotland.
- XCvIII.** An Act for the better granting of confirmations in Scotland.
- XCIX.** An Act to provide for the establishing of compositions for tithes in Ireland for a limited time.
- C.** An Act for raising the sum of fourteen millions seven hundred thousand pounds by exchequer bills; for applying a certain sum of money for the service of the year 1823; and for further appropriating the supplies granted in this session of parliament.

PUBLIC ACTS

*Of a Local and Personal Nature,
and to be noticed by the Courts.*

- i. AN Act for building a bridge over the river Severn, at or near the Haw Passage, in the county of Gloucester, and for making convenient roads thereto.
- ii. An Act for building a bridge over the river Severn, at or near to the Mythe Hill, within the parish and near to the town of Tewkesbury in

- the county of Gloucester, to the opposite side of the said river, in the parish of Bushley in the county of Worcester; and for making convenient roads and avenues to communicate with such bridge, within the counties of Gloucester and Worcester.
- iii. An Act for lighting, cleansing, watching, and otherwise improving the town and borough of Darlington, in the county of Durham.
- iv. An Act to amend and enlarge the powers and provisions of an Act of his late majesty King George the Third, for the improvement of Portman Square, within the parish of St. Mary-le-bone, in the county of Middlesex.
- v. An Act for lighting with gas the town and borough of Plymouth, and places adjacent, in the county of Devon.
- vi. An Act for more effectually amending, improving, and keeping in repair, several roads in the counties of Cornwall and Devon, leading to the borough of Saltash in the county of Cornwall.
- vii. An Act to rectify a mistake in an Act passed in the Third year of the reign of his present majesty, for more effectually improving the roads leading from the east side of Lincoln Heath to the city of Peterborough, and several other roads therein mentioned, in the counties of Northampton and Lincoln; and for making a new branch of road to communicate with the said roads, from Bourn to Spalding in the said county of Lincoln.
- viii. An Act for repairing and amending the road from the city of Peterborough through Oundle and Thrapston to Wellingborough in the county of Northampton, and several other roads near or adjoining thereto.
- ix. An Act for building a bridge and making a causeway from Langstone, in the parish of Havant in the county of Southampton, to Hayling Island in the parish of Hayling North in the said county, at or near a certain house there called The Ferry House; and for forming and making proper roads, approaches, or avenues thereto.
- x. An Act for erecting a bridge over the water of Lary, from Pomphlet Point, to or near to Great Prince Rock, in the county of Devon.
- xi. An Act for erecting and maintaining a new court room, record rooms, and other offices, for the county of Dorset.
- xii. An Act for more effectually making, repairing, and improving the roads from Union Point near Uckfield to the Sea Houses in Eastbourne, and from Horsebridge to Cross in Hand, all in the county of Sussex.
- xiii. An Act for more effectually repairing the road from Preston to Garstang in the county of Lancaster.
- xiv. An Act for making and maintaining a turnpike road from Stroud to Bisleigh in the county of Gloucester.
- xv. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down, near the town of Bishop's Waltham, in the county of Southampton, and from the said city of Winchester through Otterborne to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto.
- xvi. An Act for making and maintaining a turnpike road from and out of the road leading from Quebec in Leeds, to Homefield Lane End in Wortley, to communicate with the road leading from Huddersfield to Birstall, at Smithie's Lane, in the West Riding of the county of York.
- xvii. An Act for more effectually making and repairing the roads between Newton Abbott and Brixham, Kingswear and Dartmouth, Shaldon and Torquay, and several other roads communicating therewith, in the county of Devon.
- xviii. An Act to enable the Edinburgh and Glasgow Union Canal Company to borrow a further sum of money.
- xix. An Act for the improvement, more effectual security, and maintenance of the harbour of Bridport, in the county of Dorset.
- xx. An Act for amending an Act of the Third year of his present majesty, for continuing and altering six former Acts of their late majesties King George the Second and King George the Third, for enlarging the piers and harbour of Scarborough in the county of York.
- xxi. An Act for appointing select vestrymen, governors, and directors of the poor of the parish of St. Matthew

- Bethnal Green in the county of Middlesex; and for altering and amending two Acts passed in the thirteenth and fifty-third years of his late majesty King George the Third, relating to the same.
- xxii. An Act for more effectually repairing the road leading from the Bolton and Blackburn road in Sharples, to the Blackburn and Preston road in Hoghton, in the county of Lancaster, called the Sharples and Hoghton turnpike road.
- xxiii. An Act for more effectually amending, improving, and keeping in repair the road between the towns of Cockermouth and Workington in the county of Cumberland.
- xxiv. An Act for more effectually repairing and improving the road from the town of Garstang to the town of Lancaster, and from thence to a place called Heiring Syke, and the road from the Guide Post in the township of Slyne with Heat to Heat Bank, all in the county palatine of Lancaster.
- xxv. An Act for more effectually amending, widening, and keeping in repair several roads in and near to the town of Tenbury, in the counties of Salop, Worcester, and Hereford, and the roads leading from the Knowle Gate to the turnpike road on the Clee Hill, and from Kyre Mill to the turnpike road leading from Bromyard to Tenbury.
- xxvi. An Act for continuing the term and powers of an Act passed in the forty-second year of the reign of his late majesty King George the Third, for repealing an Act for repairing the highways and bridges in the county of Wigton, and for other purposes in the said Act mentioned.
- xxvii. An Act for amending the road from Offington Corner in the parishes of Broadwater and West Tarring, or one of them, in the county of Sussex, by Findon, Washington Hill Rock, and Ashington Common, to Dial Post, and from thence by Nep Castle to the Steyning turnpike road at West Grinstead Park in the said county; and for making a new branch of road to communicate therewith.
- xxviii. An Act for more effectually repairing the road leading from the turnpike road near the West end of the town of Chesterfield to Matlock Bridge; and also the road leading out of the said road over Darnley Bridge to Cross Green; and also the road leading out of the last-mentioned road to the turnpike road near Rowsley bridge, all in the county of Derby.
- xxix. An Act for amending the road from the Devizes turnpike road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the parish of Box in the county of Wilts, and certain other roads leading out of the said road, all in the said county.
- xxx. An Act for improving the roads from Darlaston Bridge, through New-castle-under-Lyme, to Butt Lane and Linley Lane, and from the Black Lion to Shelton Wharf, all in the county of Stafford.
- xxxi. An Act for repairing and improving the road from Otley to Skipton in the county of York.
- xxxii. An Act for altering and enlarging the powers of two Acts of the ninth and nineteenth years of his late majesty King George the Third, for building and completing a bridge at Worcester over the river Severn, and for opening convenient avenues thereto.
- xxxiii. An Act to enable the Stockton and Darlington Railway Company to vary and alter the line of their railway, and also the line or lines of some of the branches therefrom, and to make an additional branch therefrom, and for altering and enlarging the powers of the Act passed for making and maintaining the said railway.
- xxxiv. An Act to alter and amend two several Acts passed in the twenty-eighth and thirtieth years of his majesty King George the Second, for the purpose of enabling the churchwardens, overseers, and inhabitants of the parish of St. Saviour in the borough of Southwark in the county of Surry, to hold a market within the said parish.
- xxxv. An Act for paving, lighting, watching, cleansing, and improving the town of Knaresborough in the West Riding of the county of York, and that part of the township of Scriven-with-Tentergate which adjoins the said town, and is called Tentergate.
- xxxvi. An Act for lighting with gas the town of Rochdale, and the neighbourhood thereof, within the parish of Rochdale in the county palatine of Lancaster.

- xxxvii. An Act for lighting with gas the town of Belfast, and the suburbs thereof.
- xxxviii. An Act for establishing an additional company for lighting the city and suburbs of Dublin with gas.
- xxxix. An Act for lighting with oil gas the town of Liverpool and certain places adjacent thereto.
- xl. An Act for lighting with gas the public streets, lanes, passages, and places, and the houses, warehouses, and other buildings, within the king's town and parish of Maidstone in the county of Kent.
- xli. An Act for more effectually repairing the road from Alfreton in the county of Derby to the town of Derby.
- xlii. An Act for making and maintaining a turnpike road from Horsham in the county of Sussex, by Bewbush, to the town of Crawley in the said county.
- xliii. An Act for making and maintaining a turnpike road from the turnpike road between the town of Mold in the county of Flint and the town of Wrexham in the county of Denbigh, to the turnpike road between the town of Ruthin in the said county of Denbigh and the town of Wrexham aforesaid, and also two several branches of road therefrom.
- xliv. An Act for making and maintaining a turnpike road from East Teignmouth, through Dawlish, Starcross, and Kenton, to communicate with the Exeter turnpike road in the parish of Exminster, all in the county of Devon.
- xlv. An Act for more effectually amending the road from Wrexham in the county of Denbigh, to Barnhill in the county of Chester; and for making and keeping in repair the road branching out of the said road at Pwll-y-rhwyd to the borough of Holt in the said county of Denbigh.
- xlvi. An Act for more effectually repairing the road leading from the Botley turnpike road on Curdridge Common in the parish of Bishops Waltham, to the Gosport turnpike road at or near Filmer Hill in the parish of Westmeon, with a branch from the said road on Corhampton Down to the village of Corhampton, all in the county of Southampton.
- xlvii. An Act for repairing and improving divers roads in the counties of Stafford and Salop, comprised in three districts, called the Eccleshall, Newport, and Walling Street district, the Newcastle and Eccleshall district, and the Hilton and Honnington district.
- xlviii. An Act for more effectually repairing, widening, and improving the roads from the West end of Toller Lane near Bradford through Haworth to Blue Bell near Colne, and from the Two Laws to Kighley, in the counties of York and Lancaster.
- xlix. An Act for more effectually repairing and improving the Yorkshire district of the road from Kighley, in the West Riding of the county of York, to Kirkby in Keadal, in the county of Westmoreland, and for making several diversions therefrom, within the said West Riding of the county of York.
- i. An Act for repairing the road from Stage Cross in the town of Melton Mowbray in the county of Leicester to the town of Grantham in the county of Lincoln.
- ii. An Act for improving and maintaining in repair divers roads in the county of Stafford, leading from Newcastle-under-Lyme, to Blyth Marsh, from Cliff Bank to Snape Marsh, from Lower Lane to Hem Heath, and from Shelton to Newcastle-under-Lyme.
- iii. An Act for more effectually making, repairing, and improving certain roads, leading to and from Liskeard, and certain other roads therein mentioned, in the counties of Cornwall and Devon.
- iiii. An Act for making, amending, widening, and keeping in repair, certain roads passing through or near the town of Ilminster in the county of Somerset.
- lv. An Act for making and maintaining a turnpike road from Wibsey Low Moor near Bradford, through Brighouse, to Huddersfield, with three diversions or branches from such road, in the West Riding of the county of York.
- lv. An Act for more effectually amending the roads from the Little Bridge over the end of the Drain next Wisbeach River, lying between Roper's Fields and the Bell Inn in Wisbeach, in the Isle of Ely, to the West end of Long Bridge in South Lynn, in the borough of King's Lynn, in the county of Norfolk; and for amending, improving, and keeping in repair

- certain other roads therein mentioned, in the said county of Norfolk.
- lvi. An Act for continuing the term and powers of an Act of his late majesty's reign, for repairing the road from the North end of Bridgford Lane, in the county of Nottingham, to the Bowling Green at Kettering, in the county of Northampton.
- lvii. An Act for more effectually repairing the road from the city of Canterbury to the Dover turnpike road, in the parish of Barham in the county of Kent; and for lighting, watering, and watching part of the said road, leading into the said city of Canterbury.
- lviii. An Act for making and maintaining a turnpike road from Holehouse or Riding, near Greenfield to Saddleworth, to join the Stayley turnpike road, and also to join the Halifax and Sheffield turnpike road, all in the West Riding of the county of York.
- lix. An Act for more effectually amending and keeping in repair the roads from the town of Uttoxeter to the town of Newcastle-under-Lyme, in the county of Stafford, so far as relates to the Uttoxeter district of the said roads; and for making certain new pieces of road to communicate therewith, all in the said county of Stafford.
- lx. An Act for repairing and amending the road from Castle Street at the end of the town of Hinckley in the county of Leicester, to the end of the town of Lutterworth in the same county.
- lxi. An Act for repairing and amending the road from the town of Market Harborough in the county of Leicester to the city of Coventry.
- lxii. An Act for more effectually repairing the roads from Dyed Way to Somerton, and from Gawbridge to Tintinhull Fords, and from a stream of water called Ford, to Cartgate in Martock, and other roads therein mentioned, in the county of Somerset.
- lxiii. An Act for repairing and widening the road from Rugby, in the county of Warwick, to the turnpike road from Lutterworth to Market Harborough, in the counties of Leicester and Northampton.
- lxiv. An Act for more effectually repairing and improving the road from the South end of Sparrows Herne on Bushey Heath, through the Market towns of Watford, Berkhamstead Saint Peter, and Tring, in the county of Hertford, by Pettipher's Elms, to the turnpike road at Walton, near Aylesbury, in the county of Buckingham.
- lxv. An Act for more effectually repairing the roads from Staplecross to Horns-cross, and from Horns-cross to the turnpike road near Brickwall House in the parish of Northiam, and from Horns-cross to the turnpike road near the Windmill in the parish of Beckley, and from Staplecross to Bodiam Bridge and to the turnpike road at Silver Hill, all in the county of Sussex.
- lxvi. An Act for repairing and maintaining the roads from Barnsley Common to Grange Moor and White Cross, and from the Guide Post in Barugh over Barugh Brook into the township of Cawthorne, all in the county of York.
- lxvii. An Act for more effectually amending, repairing, and keeping in repair, the road from the Toll Gate in the parish of Kettering through Wellingborough, in the county of Northampton, and through Olney over Sherrington Bridge, to Newport Pagnell, in the county of Buckingham.
- lxviii. An Act for raising a further sum of money for carrying into execution an Act passed in the fifty-seventh year of his late majesty King George the Third, intituled "An Act for rebuilding the church, and improving the churchyard of the parish of Saint Paul Shadwell in the county of Middlesex; and for amending the said Act.
- lxix. An Act for better supplying the city of Worcester and the liberties thereof with water; and for more effectually paving, lighting, watching, and otherwise improving the said city.
- lxx. An Act for lighting and watching the parish and town of Greenwich in the county of Kent, and removing and preventing nuisances therein.
- lxxi. An Act for regulating the police of the barony of Gorbals, in the county of Lanark; paving, cleansing, and lighting the streets, erecting a Bridewell, and other purposes relating thereto.
- lxxii. An Act for lighting the town and burgh of Paisley, and suburbs and

- places adjacent, with gas, and for other purposes relating thereto.
- lxxiii. An Act for lighting with gas the town of Woolwich in the county of Kent.
- lxxiv. An Act for lighting with gas the city of York, and the suburbs and vicinity thereof.
- lxxv. An Act for lighting, watching, and cleansing the Grange Road, and other parts of the parish of Saint Mary Magdalen, Bermondsey, in the county of Surrey.
- lxxvi. An Act for explaining, amending, and rendering more effectual an Act of his late majesty, for draining certain commons and fens lying between the rivers Glen and Welland, in the county of Lincoln, and for increasing the rates thereby authorised, and imposing additional rates for more effectually draining the said lands.
- lxxvii. An Act for more effectually repairing the Wadsley and Langset turnpike road, and extending the same in two lines to join the Huddersfield and Woodhead turnpike road, in the townships of Uppershong and Honley, in the West Riding of the county of York.
- lxxviii. An Act for continuing the term and altering and enlarging the powers of three Acts passed in the first, twenty-first, and forty-second years of the reign of his late majesty, for amending and widening the road leading from the town of Falmouth, in the county of Cornwall, through the towns of Penryn, Helston, and Marazion, and from thence to and over Marazion river and bridge, and two hundred feet to the westward of the said river and bridge.
- lxxix. An Act for better and more effectually improving and keeping in repair the road leading from the town of Kingston-upon-Thames, in the county of Surrey, to a place called Sheethridge, near Petersfield, in the county of Southampton.
- lxxx. An Act for making and maintaining a road from Norwich to Fakenham, in the county of Norfolk.
- lxxxi. An Act for amending and keeping in repair the roads from Dover to Barham Downs, and from Dover to the town of Folkestone, and from thence through the parish of Folkestone to Sandgate, in the county of Kent.
- lxxxii. An Act for improving and keeping in repair the road from Tarporeley, in the county palatine of Chester, to the South-east end of Acton Forge, near Weaverham, in the same county.
- lxxxiii. An Act for amending and maintaining the roads from the North Gate of the city of Winchester, over Worthy Cow Down, through Whitchurch and other places, to Newtown river, and from Worthy Cow Down aforesaid through Wherwell to Andover, in the county of Southampton.
- lxxxiv. An Act for more effectually repairing, amending, and improving certain roads in the several parishes of Saint Mary Magdalen, Bermondsey, and Saint Mary at Rotherhithe, in the county of Surrey, and Saint Paul, Deptford, and Saint Nicholas, Deptford, in the county of Kent.
- lxxxv. An Act for more effectually repairing the road from the South End of Brown's Lane, in the parish of Great Staughton, in the county of Huntingdon, to the Bedford turnpike road in the parish of Lavendon in the county of Buckingham.
- lxxxvi. An Act for repairing, widening, and maintaining the road leading from Horsham in the county of Sussex, through Dorking and Leatherhead, to Epsom in the county of Surrey, and from Capel to Stone Street, at Ockley, in the said county of Surrey.
- lxxxvii. An Act to enable the company of proprietors of the navigation from the Trent to the Mersey to make an additional tunnel through Harecastle Hill in the county of Stafford, and an additional reservoir in Knypersley Valley in the said county; and to amend and enlarge the powers of the several Acts for making and maintaining the said navigation, and the several canals connected therewith.
- lxxxviii. An Act to amend an Act of the last session of parliament, for erecting and maintaining Ferries across the river Tay, in the counties of Fife and Forfar.
- lxxxix. An Act to repeal an Act passed in the fifty-fourth year of his late majesty, for building a new church within the town and parish of Liverpool in the county palatine of Lancaster; to vest the said church and the ground thereunto belonging in the mayor, bailiffs, and burgesses of the town of Liverpool; to authorize the purchase of land in the said town to be appropriated to the use of public cemeteries; and to restrict the burial of corpses in the present cemeteries

- of the parish church and parochial chapel there.
- xc. An Act for paving, lighting, cleansing, watching, and improving the township of Halifax, and for supplying the same with water.
- xc. An Act for repairing, maintaining, and improving the highways and other public places in the parish of Saint Mary Magdalen, Bermondsey, in the county of Surrey.
- xcii. An Act for improving, paving, lighting, cleansing, and watching the town of Mansfield in the county of Nottingham.
- xciii. An Act for better supplying with water the town of Skipton in the West Riding of the county of York.
- xciv. An Act for the erection of a bridge across the river Shannon, and of a floating dock to accommodate sharp vessels frequenting the port of Limerick.
- xcv. An Act to alter, amend, and enlarge the powers of an Act of his present majesty's reign, intituled, "An Act to establish an additional company for lighting certain parts of the metropolis and parts adjacent with gas."
- xcvi. An Act to establish a company for lighting with gas the town of Northampton.
- xcvii. An Act to amend and explain the powers of an Act of his late majesty, for lighting with gas the town of Brighthelmston, and to raise a further sum of money for carrying the purposes of the said Act into execution.
- xcviii. An Act for lighting with gas the several parishes of Saint Botolph Aldgate, and Saint Paul Shadwell, and certain parts of the parishes of Saint George in the East, otherwise Saint George Middlesex, and Saint John of Wapping, and of the hamlets of Mile End Old Town and Ratcliff, in the county of Middlesex.
- xcix. An Act to enable the company of proprietors of the Dublin gas works to raise more money for the further lighting the city and suburbs of Dublin with gas.
- c. An Act for lighting the town of Mansfield in the county of Nottingham with gas.
- ci. An Act to establish a company for lighting the borough of Stamford in the county of Lincoln, and Saint Martin's Stamford Baron in the county of Northampton, with gas.
- cii. An Act for lighting with oil gas the city of Bristol and the parish of Clifton in the county of Gloucester, and certain Parishes adjacent thereto.
- ciii. An Act to amend and render more effectual an Act passed in the forty-seventh year of the reign of his late majesty king George the Third, for repealing several Acts therein mentioned, for draining certain fen lands in the isle of Ely, and counties of Suffolk and Norfolk, near Mildenhall river, so far as relates to the lands in the first district therein described, and for making better provision for draining and preserving the said lands.
- civ. An Act for amending and improving the roads leading to the town of Oakhampton in the county of Devon.
- cv. An Act for amending, improving, and keeping in repair the road leading from the turnpike road in the Horse Fair in the town of Banbury in the county of Oxford, through Swalecliffe in the said county of Oxford, and through Brailes in the county of Warwick, to the bridge crossing the river Stour in the parish of Barcheston in the said county of Warwick.
- cvi. An Act for more effectually repairing and improving the road leading from Whitechapel church in the county of Middlesex, unto Passingford bridge, and through and to the end of the several parishes or places of Shenfield and Woodford, in the county of Essex, and for other purposes relating thereto.
- cvi. An Act for amending the road leading from the New Wall on the parade in Castleton in the parish of Rochdale, through Middleton, to the Meer Stone in Great Heaton, and to the town of Manchester, all in the county palatine of Lancaster; and for diverting certain parts of the said road.
- cvi. An Act for more effectually repairing the road leading from Beaconsfield in the county of Buckingham, to Stoken Church in the county of Oxford.
- cix. An Act for more effectually making and maintaining the road from Modbury, through the town of Plympton, to the North end of Lincotta Lane, and from Modbury to within four hundred yards of the bridge over the Lary, and also a road from Addistone Hill, in the parish of Holbeton, to

the Totness road at Lady Down, in the parish of Ugborough, in the county of Devon.

cx. An Act for repairing and improving the road leading from Skipton in the county of York to Colne in the county of Lancaster.

cx. An Act for more effectually repairing the road from Wansford bridge in the county of Northampton to Stan-ford, and from Stanford to Bourn, in the county of Lincoln.

cxii. An Act for making and repairing certain roads from Redrow to Pent-hill in the county of Stirling.

cxiii. An Act for more effectually im-proving and keeping in repair the pier and harbour of Minehead in the county of Somerset.

cxiv. An Act for altering and amending two Acts, passed in the eleventh and thirty-third years of his late majesty king George the Third, for consoli-dating, extending, and rendering more effectual the powers granted by several Acts of parliament, for making, enlarging, amending, and cleansing the vaults, drains, and sewers within the city of London and liberties there-of; and for paving, cleansing, and lighting the streets, lanes, squares, yards, courts, alleys, passages, and places, and preventing and removing obstructions and annoyances within the same.

cxv. An Act to alter, amend, and en-large the powers of the several Acts passed for more effectually supplying with water the inhabitants of the town of Manchester and Salford, in the parish of Manchester, in the county palatine of Lancaster.

cxvi. An Act to amend several Acts for erecting a bridge over the river Thames, from the city of London, to the opposite bank, in the parish of Saint Saviour, in the county of Sur-rey.

cxvii. An Act for building a church or chapel of ease in the hamlet of Far Town, and parish of Huddersfield, in the West Riding of the county of York.

cxviii. An Act for extinguishing tithes and customary payments in lieu of tithes, and all demands for Easter offerings, within the London or City liberty of Saint Andrew, Holborn, in the city of London, and for making compensation in lieu thereof.

cxix. An Act to enlarge the powers of the gas light and coke company, and

to amend several Acts passed in the reign of his late majesty relating to the said company.

cx. An Act for repairing the roads from Oxdown Gate in Popham Lane, to the city of Winchester, and from the said city through Hurley to Chandler's Ford, and from Hurley aforesaid to the turnpike road at Romsey, and from the Hundred at Romsey, through Chilworth, to the river at Swarthing, in the county of Southampton, and from the said turn-pike road at Romsey, through Ring-wood, in the said county, to Longham Bridge and Wimborne Minster, in the county of Dorset.

cx. An Act for more effectually re-pairing the roads leading from a place called the Welsh Harp, in the township of Stonnall, in the county of Stafford, to Stone Bridge, and from Castle Bromwich to Birmingham, in the county of Warwick.

cxii. An Act for repairing the roads from the borough of Tamworth, in the counties of Stafford and Warwick, to the town of Ashby-de-la-Zouch in the county of Leicester, and from Harrington Bridge (heretofore Saw-ley Ferry) in the said county of Lei-cester, to a turnpike gate at or near the end of Swarcliffe Lane leading to Ashby-de-la-Zouch aforesaid.

cxiii. An Act to enlarge the powers of, and render more effectual certain Acts of the twenty-second and thirty-second years of the reign of his ma-jesty king George the Second, and the forty-sixth year of the reign of his late majesty king George the Third, for the more easy and speedy recovery of small debts within the town and borough of Southwark, and the several parishes and places in the said Acts mentioned, and to regulate the fees payable to the court thereby established.

cxiv. An Act to allow further time for the completion of the docks and other works belonging to the London Dock Company.

cxv. An Act for altering the time for holding general annual meetings for licensing alehouses within the county of Middlesex, and for authorizing the justices of the peace for the said county to remunerate high constables.

cxvi. An Act for the better govern-ment of the city of Limerick, and the due appropriation of the public re-venues thereof.

APPENDIX TO CHRONICLE. 247

PRICE OF STOCKS in each Month in 1823,

Highest and Lowest.

	Bank Stock.	5 per Ct. Redeem. Consols.	3 per Ct. Consols.	2½ per Ct.	4 per Ct. Cons.	New 4 per Ct.	Long Annuity.	Imperial 3 per Ct.	India Stock.	India Bonds.	South S. Stock.	Exchange Bills.
January .. {	246½ 236	80½ 75½	72½ 74½	93½ 87½	98½ 92½	99½ 92½	20½ 19½	79½ 74½	250 245	48 p. 38 p.	89½ 83½	16 p. 5 p.
February.. {	239½ 234	77½ 73½	70½ 72½	89½ 85½	95½ 93½	95½ 93½	20 19½	75½ 72½	241 235	38 p. 21 p.	86½ 83½	17 p. 6
March {	236½ 236	73½ 74½	74½ 74½	85½ 86½	92½ 93½	92½ 94½	19½	73½ 74½	232 234	20 p. 26 p.	85½ 84½	8 p. 12 p.
April {	204½ 214½	73½ 77½	74½ 77½	85½ 89½	92½ 95½	94½ 98	18½ 19½	73½ 75½	238½ 245½	29 p. 40 p.	83½ 87½	11 p. 17 p.
May {	215½ 220	77½ 80½	77½ 81½	89½ 92½	95½ 98	98½ 100½	20 20½	76½ 79½	246 251½	40 35	87½ 90	14 p. 40 p.
June {	217½ 221½	79½ 81½	80½ 83½	93½ 93½	97½ 99	101½ 100½	20½ 20½	79½ 75½	251	34 43		14 p. 22 p.
July {	221 226½	81½ 83½	80½ 83½	93½ 96½	98½ 100½	99½ 101½	20½ 21½	80½ 83½	250½ 258	48 60		21 p. 31 p.
August..... {	222½ 226½	81½ 83½	80½ 83½	94½ 96½	99½ 101	100½ 102½	21 21½	81 83½	256 264½	55 66		26 p. 36 p.
September. {	226½ 226½	83½ 83	82½ 83½	96 97½	101½ 100½	101½ 102½	21½	83½ 83	264½ 266	64 57		34 p. 38 p.
October .. {	226 220½	83½ 81½	82½ 82	96½ 95½	100½ 99	104½ 103½	21½ 20½	83½ 83½	267½ 263½	64 73		41 p. 34 p.
November {	222 224½	82½ 83½	83 84½	95½ 97½	99½ 100½	103½ 104½	20½ 21½	81½ 83½	265½ 268½	74 84		38 p. 50 p.
December {	224½ 230½	85½ 86½	84½ 84½	97½ 99½	102 100½	104½ 104½	21½ 21½	83½ 84½	269	77 84		47 p. 56 p.

NUMBER OF BANKRUPTS IN 1823.

Jan.	Feb.	March.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.
77	107	98	77	81	95	60	59	53	53	116	77

AVERAGE PRICES OF SUGAR AND HAY.

	Sugar per Cwt.	Hay per Load.		Sugar per Cwt.	Hay per Load.
	s. d.	£. s. d.		s. d.	£. s. d.
January	31 5	4 0 0	July	31 8	5 5 0
February	35 1½	4 0 0	August	30 7½	5 15 0
March	37 1½	4 4 0	September	31 3½	6 0 0
April	34 7½	4 10 0	October	31 8	6 0 0
May	34 7½	4 13 0	November	31 5½	5 15 0
June	30 8½	4 6 0	December	35 6½	5 10 0

AVERAGE PRICE OF WHEAT,

DURING 1823.

	s. d.		s. d.
January 4	39 11	July 5	60 1
— 11	40 5	— 12	59 10
— 18	40 10	— 19	59 6
— 25	40 3	— 26	58 9
February 1	40 0	August 2	59 7
— 8	40 5	— 9	60 4
— 15	41 4	— 16	58 10
— 22	40 11	— 23	58 8
— 29	50 4	— 30	58 8
March 1	41 7	Septem. 6	57 8
— 15	47 2	— 13	58 6
— 22	50 9	— 20	51 9
— 29	50 4	— 27	47 7
April 5	50 9	October 4	46 4
— 12	50 3	— 11	46 5
— 19	50 4	— 18	47 6
— 26	51 4	— 25	47 8
May 3	54 7	Nov. 1	50 0
— 10	57 8	— 8	49 7
— 17	57 9	— 15	49 8
— 24	59 10	— 22	50 5
— 31	62 1	— 29	51 4
June 7	62 7	Dec. 6	51 10
— 14	62 5	— 13	50 8
— 21	61 0	— 20	56 1
— 28	60 2	— 27	53 10

PRICE OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. of BUTCHER'S MEAT in Newgate Market in the Year 1823.

	Beef.				Mutton.				Veal.				Pork.				Lamb.								
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.					
January..	2	4	to	3	2	2	4	to	3	0	8	8	to	5	0	2	8	to	4	0	0	0	to	0	0
February	2	4	to	3	4	2	4	to	3	6	3	0	to	5	0	2	8	to	4	8	0	0	to	0	9
March ..	2	4	to	3	4	2	8	to	3	8	3	0	to	4	8	2	8	to	4	8	0	0	to	0	0
April ..	2	6	to	3	6	3	0	to	4	0	2	8	to	4	0	3	4	to	4	8	4	0	to	5	8
May....	3	0	to	3	10	3	4	to	4	4	3	0	to	5	4	3	0	to	5	0	4	0	to	5	8
June....	2	6	to	3	6	2	10	to	3	6	2	8	to	4	0	2	4	to	4	4	3	4	to	5	0
July....	2	4	to	3	2	2	8	to	3	6	3	0	to	4	8	2	8	to	4	4	3	4	to	4	4
August..	2	4	to	3	4	2	8	to	3	4	2	8	to	4	4	2	4	to	4	4	3	0	to	4	0
Sept....	2	4	to	3	0	2	8	to	3	8	3	0	to	4	4	2	8	to	4	4	3	0	to	4	0
October..	2	0	to	3	0	2	4	to	3	0	2	8	to	4	4	2	8	to	4	8	2	8	to	4	0
Nov.....	2	0	to	3	0	2	4	to	3	4	2	8	to	4	4	2	4	to	4	8	2	8	to	3	8
Dec.....	2	4	to	3	4	2	4	to	3	4	2	8	to	4	8	2	4	to	4	8	0	0	to	0	0

METEOROLOGICAL TABLE for 1823.

Month.	Barometer.			Thermometer.			Pluvia- meter.	Winds.									
	Highest.	Lowest.	Mean.	High.	Low.	Mean.		N.	S.	E.	W.	N.E.	S.E.	N.W.	S.W.		
January.	30.06	28.97	29.6035	48	4	30.49	1.125	3	2	8	2	11	0	1	4		
February.	30.15	28.59	29.3787	50	27	37.33	3.15	5	2	1	3	3	1	2	11		
March...	30.30	28.97	29.6986	60	27	41.11	1.	3	6	2	7	1	1	8	9		
April...	30.30	29.21	29.7572	65	36	45.17	1.626	3	1	8	6	4	1	1	6		
May....	30.29	29.44	29.8478	78	32	55.74	.85	1	1	2	3	4	3	0	17		
June...	30.20	29.27	29.8274	77	36	57.10	1.725	4	0	1	3	8	0	3	11		
July....	29.98	29.50	29.7185	75	42	59.79	2.325	2	1	1	4	1	0	3	19		
August...	30.13	29.49	29.8118	78	39	61.02	1.025	1	1	0	4	1	0	3	19		
Septem.	30.27	29.23	29.8969	73	30	55.81	.775	1	1	1	2	6	3	3	15		
October.	30.29	29.73	29.5837	60	28	46.72	4.275	0	2	1	1	6	5	4	12		
Novem.	30.48	29.36	30.0103	56	21	43.42	1.05	2	1	0	0	6	4	2	15		
Decem.	30.27	28.91	29.5361	52	25	39.26	2.575	0	1	0	2	1	1	8	18		
Year.	30.48	28.59	29.722	78	4	47.74	23.3	25	19	5	37	52	21	29	157		

BILLS OF MORTALITY, from Dec. 10, 1822, to Dec. 17, 1823.

Christened in the 97 parishes within the walls, 1059—Buried, 1162.

Christened in the 17 parishes without the walls, 5443—Buried, 3990.

Christened in the 23 out-parishes in Middlesex and Surrey, 17,093—Buried, 10,727.

Christened in the 16 parishes in the City and Liberties of Westminster, 4095—Buried 4708.

Diseases and Casualties this year, 20,379.

DISEASES AND CASUALTIES.

DISEASES.	1822.	1823.	Increase.	CASUALTIES.		Buried.
				Bitten by a mad dog.....	Whereof have died—under two years of age.....	
Apoplexy	206	332	126	Broken limb	1	2905
Asthma	533	1057	524	Burnt	1	1837
Child-bed	191	203	12	Drowned	39	757
Consumption.....	3808	5012	1404	Excessive drinking	118	757
Convulsions	2929	2754	—	Executed	6	1375
Fever	1104	690	—	Found dead	14	1761
Ditto Typhus	17	31	14	Fractured	12	1902
Inflammation	1308	2189	881	Killed by falls, and several other acci- dents.....	1	1893
Liver	61	89	28	Killed by fighting	61	1874
Measles	712	573	—	Murdered	2	1892
Old Age	2601	1904	—	Overlaid	2	690
Small-pox	604	774	170	Poisoned	1	105
Still-born	667	771	104	Scalded	6	4
Casualties	386	308	90	Smothered	9	1
Total	14939	16687	3283	Starved	3	1
				Suffocated	1	1
				Suicide	7	1
					24	
				Total of Casualties	308	
						Males
						Females
						Total
						10,455
						10,132
						20,587

Christened, 4—Males, 13,045; Females, 13,524. Total, 27,579.

RETURNS of the NUMBER of PERSONS committed to Newgate, and the other Prisons in London, Middlesex and Surrey, from the several Police Offices; by the several Magistrates of the City of London, and of the Counties of Middlesex and Surrey, in the Years 1821, 1822, and 1823.

1.—RETURN of the Number of Persons committed to his Majesty's Gaol of Newgate, by the several Magistrates from the Police Offices of London and Middlesex.

In the Year 1821.

Police Offices.	Number Committed.	Bills found by the Grand Jury.	Bills not found by the Grand Jury.	No Prosecution, Bills not having been preferred.	Convicted.	Acquitted.
Mansion House	109	100	7	2	80	29
Guildhall	152	134	15	3	114	20
Bow Street	348	298	43	7	224	74
Marlborough Street ..	340	304	31	5	240	64
Queen Square	97	87	9	1	58	29
Mary-le-bone	64	57	7	none.	33	24
Hatton Garden	199	185	14	none.	154	31
Worship Street	273	249	22	2	205	44
Lambeth Street	152	111	36	5	82	29
Thames Police	81	61	20	none.	43	18
Shadwell	93	75	13	5	41	34

In the Year 1822.

Mansion House	116	107	8	1	84	23
Guildhall	194	162	19	3	133	29
Bow Street	320	191	25	4	148	43
Marlborough Street ..	292	270	19	3	195	75
Queen Square	106	92	13	1	68	29
Mary-le-bone	142	116	23	3	90	26
Hatton Garden	203	188	13	2	150	38
Worship Street	293	268	24	1	176	92
Lambeth Street	217	166	44	7	115	51
Thames Police	167	136	25	6	90	46

In the Year 1823.

Mansion House	81	76	5	none.	62	14
Guildhall	314	280	31	3	198	82
Bow Street	172	160	10	2	104	56
Marlborough Street ..	326	282	41	3	194	88
Queen Square	92	77	12	3	60	27
Mary-le-bone	144	116	25	3	90	28
Hatton Garden	194	184	9	1	137	47
Worship Street	273	241	31	1	165	76
Lambeth Street	162	134	27	1	99	35
Thames Police	178	142	35	1	92	50

2.—**Return of the Number of Persons committed to New Prison Clerkenwell, from the several Police Offices, in the Years 1821, 1822, and 1823.**

OFFICES.	Year 1821.	Year 1822.	Year 1823.	Total.
1. Bow Street	538	398	270	1,206
2. Thames Police	185	323	421	929
3. Lambeth Street.....	776	964	871	2,611
4. Worship Street.....	1,008	882	894	2,784
5. Hatton Garden	912	1,038	1,006	2,956
6. Mary-le-bone, from 16 July 1821, and Shadwell previous to that day	277	410	389	1,076
7. Marlborough Street.....	715	751	688	2,154
8. Queen Square	51	67	56	174
9. Union Hall.....	1	-	-	1
Totals	4,463	4,833	4,595	13,891

YEAR.	Number against whom Bills were found by the Grand Jury.	Number Convicted.	DISCHARGED.		NUMBER OF COMMITMENTS.		
			On Verdict of Not Guilty.	From non-appearance of Witnesses or Prosecutors upon Indictments.	Of those Convicted.	Of those Acquitted.	Of those Discharged.
1821.....	345	209	98	38	209	98	38
1822.....	439	296	116	27	300	116	28
1823.....	406	246	121	37	252	123	41
Totals..	1,190	753	335	102	761	337	107

3.—RETURN of the Number of Persons committed, and convicted, to the House of Correction in Cold Bath Fields, from the several Police Offices, in the Years 1821, 1822, and 1823; upon summary Orders.

POLICE OFFICES.	NUMBERS COMMITTED.				Numbers whom Bills found by the Grand Jury.
	1821.	1822.	1823.	TOTAL.	
Bow Street	163	275	266	704	none.
Mariborough Street..	610	270	503	1,383	none.
Hatton Garden	701	597	492	1,790	none.
Worship Street	213	470	643	1,326	none.
Lambeth Street	246	492	707	1,445	none.
Thames Police	140	615	487	1,242	none.
Shadwell	44	-	-	44	none.
Mary-le-bone	163	214	173	490	none.
Queen Square	12	47	48	107	none.
	2,232	2,980	3,319	8,531	

POLICE OFFICES.	NUMBERS CONVICTED.				NUMBERS DISCHARGED.			
	1821.	1822.	1823.	TOTAL.	1821.	1822.	1823.	TOTAL.
Bow Street	108	242	251	601	163	256	254	673
Mariborough Street..	480	246	483	1,209	645	254	537	1,436
Hatton Garden	666	584	479	1,729	611	634	496	1,741
Worship Street	208	454	635	1,297	215	436	653	1,304
Lambeth Street	227	489	698	1,414	238	459	694	1,391
Thames Police	130	606	486	1,222	104	699	397	1,200
Shadwell	35	..	..	35	47	..	..	47
Mary-le-bone	101	208	162	471	78	248	164	0
Queen Square	12	47	47	106	13	48	45	106
	1,967	2,876	3,241	8,084	2,114	3,034	3,240	8,388

4.—RETURN of the Number of Persons committed to Tothill Fields Bridewell, from the several Police Offices, by the several Magistrates of the City and Liberty of Westminster and County of Middlesex, in the Years 1821, 1822, and 1823.

	Total Number of Persons committed from the Public Office at New Street.	Total Number of Persons committed from the Public Office at Great Marlborough Street.	Total Number of Persons committed from the Public Office at Queen Square, Westminster.	Number of those committed, against whom Bills were found by the Grand Jury.	Number Committed.	Number Acquired.		Number of Commitments of those so Acquired.	Number of Commitments of those so Discharged.
						Discharged, from non-appearance on Verdict of Not Guilty.	Discharged, from non-appearance of Witnesses or Prosecutors.		
1821....	741	761	652	139	86	33	..	35	—
1822....	603	655	666	109	79	28	..	30	—
1823....	445	909	680	122	68	52	..	53	—
Totals..	1,789	2,325	1,998	360	243	113	..	118	—

5.—A RETURN of the Number of Persons committed to the Giltspur Street Prison in the City of London, from the Justice Room, Mansion House, and from the Justice Room, Guildhall.

Justice Room, Mansion House.										Justice Room, Guildhall.									
Number of Persons Committed by the several Magistrates of the City of London.	Number of those Committed, against whom Bills were found by the Grand Jury.	Number Committed.	Number Acquired from Non-appearance of Witnesses or Prosecutors.	Number of those so Committed, convicted, respectively.		Number of Persons Committed by the several Magistrates of the City of London.	Number of those Committed, against whom Bills were found by the Grand Jury.	Number Committed.	Number Acquired from Non-appearance of Witnesses or Prosecutors.	Number of those so Committed, convicted, respectively.		Number of Persons Committed by the several Magistrates of the City of London.	Number of those Committed, against whom Bills were found by the Grand Jury.	Number Committed.	Number Acquired from Non-appearance of Witnesses or Prosecutors.	Number of those so Committed, convicted, respectively.			
1821 69	7	6	1	7	Bailed .....34 Discharged ..85 Newgate 8 Convicted, &c. 7	156	23	15	4	23	Bailed .....54 Discharged ..66 Newgate ....13 Convicted, &c.23	180	21	13	2	6	21	Bailed .....71 Discharged ..81 Newgate 7 Convicted, &c.21	
1822 88	13	8	2	13	Bailed .....31 Discharged ....38 Newgate 5 Convicted, &c.13	189	28	18	1	28	Bailed .....61 Discharged ..86 Newgate .....94 Convicted, &c.58								
1823 79	11	9	..	11	Bailed .....3 Discharged ....36 Newgate 2 Convicted, &c.11														

6.—Return of the Number of Persons committed to the County Gaol of Surrey, from the several Police Offices, by the several Magistrates of the City of London, and of the Counties of Middlesex and Surrey, in the Years 1821, 1822, and 1823.

	1831.	Number Committed.	Number of those Committed, against whom Bills were found by the Grand Jury.	Number Convicted.	Number Acquitted.	Number of Commissions of those so Convicted.	Number of Commissions of those so Acquitted.
Union Hall	594	232	189	43	210	48	
Bow Street	24	16	12	4	12	5	
Thames Police Office, Wapping	29	24	17	7	19	7	
Queen Square, Westminster	6	3	3	—	4	—	
Great Marlborough Street	—	—	—	—	—	—	
Worship Street, Shoreditch	—	—	—	—	—	—	
Lambeth Street, Whitechapel	—	—	—	—	—	—	
1832.							
Union Hall	689	214	175	39	192	46	
Bow Street	16	14	14	—	14	—	
Thames Police, Wapping	9	7	7	—	7	—	
Queen Square, Westminster	3	1	1	—	1	—	
Great Marlborough Street	2	2	2	—	2	—	
Worship Street, Shoreditch	1	1	1	—	1	—	
Lambeth Street, Whitechapel	2	2	1	1	1	1	
1833.							
Union Hall	745	313	255	58	284	62	
Bow Street	11	10	7	3	8	3	
Thames Police, Wapping	15	7	6	1	6	1	
Queen Square, Westminster	5	5	4	1	4	1	
Great Marlborough Street	—	—	—	—	—	—	
Worship Street Shoreditch	2	2	1	1	1	1	
Lambeth Street	—	—	—	—	—	—	

TABLE of the Extent and State of the Royal Forests.
(From the Crown Land Reports.)

	Acres in each Forest.	Acres enclosed for the growth of Timber.
New Forest	66,942	6,000
Dean Forest.....	23,015	11,000
Alice Holt Forest	1,892	1,892
Woolmer Forest	5,949	1,700
Bere Forest	1,417	1,417
Whittlewood Forest	5,424	3,295
Salcey Forest	1,847	1,121
Whichwood Forest	3,709	1,841
Waltham Forest	3,278	—
Windsor Forest	4,402	4,402
Delamere Forest.....	3,847	3,847
Parkhurst Forest	900	900
	122,622	38,015

LAW CASES.

LAW CASES AND NARRATIVES.

ASSIZE COURT AT PARIS.

Trial of Castaing, the Physician, for Murder.—Nov. 11-17.

THE trial commenced on Monday the 11th of November. At a quarter past 10 o'clock, Castaing, the prisoner, was brought into court. He was a young man of a fair complexion, and an interesting figure, with a mild and gentle voice, and of peculiarly calm and decorous manners. The bar, upon which the articles necessary to the conviction of the prisoner are usually placed, did not upon this occasion present any blood-stained garments, or any spoils taken from the person of the murdered victim: but a range of decanters, bottles, and phials, containing either the poisons found in the house of the accused, or the analyzed results of them; together with two chests, tied and sealed up, in which were contained other substances, designed as tests for them.

The prisoner declared his name to be Edme Samuel Castaing, his age to be 27 years or thereabouts, his profession to be that of physic, his birth-place to be Alençon, and his residence to be No. 31, Rue d'Enfer, Paris.

The indictment was then read, and occupied the time of the court from eleven o'clock till half-past two. It was divided into three parts, each containing a distinct
Vol. LXV.

charge against the prisoner. The first was, that early in the month of October, 1822, he attempted the life of Daniel Hippolyte Ballet by certain substances calculated to produce death; the second, that, about the same time, in conjunction with Claude Louis Auguste Ballet, deceased, he purposely destroyed the last will and testament of the above-mentioned Daniel Hippolyte Ballet; and the third, that in the last days of the month of May, and on the 1st of June, 1823, he also attempted the life of the above-mentioned Claude Louis Auguste Ballet, by substances calculated to produce death. Under each of these charges there was stated in the indictment the motive which was supposed to have led the prisoner to the commission of these crimes, and also the direct and circumstantial evidence by which they were to be established against him. The motive alleged for the murder of Hippolyte Ballet was this:—that Castaing, who was not possessed of any private fortune, having been distinguished from his earliest youth, for a profligacy of conduct, which led him into the most ruinous expenses, determined to supply those expenses by murdering Hippolyte Ballet, by destroying his genuine will, by forging another, and by selling the will so forged for a valuable consideration to his brother Louis Auguste. The circumstances alleged in proof of Castaign's

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having poisoned Hippolyte were principally these:—1st, That he was his medical adviser, and, 17 days before his death, bought a considerable quantity of the *acetate de morphine*; secondly, that about that period he was much engaged in trying different poisons, and had conversed with M. Chevalier regarding those, whose effects were most likely to escape detection; thirdly, that on the evening of the day in which Hippolyte was taken ill, Castaing trumped up a story to Auguste regarding 80,000 francs having been promised by Madame Martignon to some individual, provided he could make Hippolyte's will in her favour valid, a story evidently invented to pave the way to his ulterior proposition to Auguste of procuring another will for 100,000 francs; fourthly, that, four days after this proposal was made, Hippolyte died, and that the symptoms, which appeared on his body being opened, were such as would ensue in case of an individual's being poisoned by the *acetate de morphine* as well as in case of his dying from an inflammation of the lungs. The motive alleged for the destruction of one will, and the forgery of another, was the same as that alleged for the commission of the first crime; and the proofs of it were as follows:—The existence of a prior will, well known to several individuals and admitted by Auguste Ballet and the prisoner;—the boast of Castaing to Auguste, that he had caused the suppression of one copy of it that was in the hands of Hippolyte, and his declaration in general terms, that the other duplicate must exist somewhere;—his subsequent assertion, on the evening that Hippolyte fell sick, that Madame Martignon, the testator's

sister, had promised 80,000 francs to the person with whom the will was deposited, if it was valid; and his avowal that he would take certain steps with regard to Lebret, the only person with whom it could be deposited;—the fact that no one was permitted to see Hippolyte during his short illness—the proposal of Castaing, within a few days after his death, to pay 100,000 francs to Lebret to destroy the will—Castaing's visit, on the day of Hippolyte's death, to Lebret, and a letter of Auguste on the same day for the immediate supply of 100,000 francs—the sale of Auguste's effects by his agent on the 7th of October to that amount, and his payment of that sum to Auguste, in an order on the Bank of France—the payment of that order at the bank in the presence of Castaing and Prignon—and Castaing's denial and subsequent confession of that circumstance—Castaing's subsequent visit by himself to Lebret—the avowal of Auguste upon that day to Prignon, that he had thrown 100,000 francs out of the window to succeed to his brother's property, and to Mademoiselle Percillié (his mistress) that he had done with Lebret, that he had gotten his brother's will, and that there was the seal of it;—his declaration to several witnesses, that he had paid this sum of 100,000 francs by the agency of Castaing, and Castaing's avowal, that it was all he could do to get Auguste to trust him with it;—the discovery, after great research, that Lebret's fortune did not increase a single farthing about this period, and that Castaing, who, a few weeks before, could not pay a bill of 600 francs, had lent his mother on the 11th of October, 1822,

30,000 francs without interest, to be repaid in 15 years, and his mistress on the 14th, 4,000 francs without interest, to be repaid in 5 years; and on the same day had also purchased 66,000 francs in stock, making a total of 100,000 francs;—and lastly, the absurd, and contradictory accounts, which Castaing had given of his sudden mode of acquiring so much wealth. For the third charge, that of poisoning Auguste, the same motive as before was suggested, and the proofs to establish it, were arrayed in the following order: Castaing, it was alleged, had persuaded Auguste to make a will, in which he was appointed universal legatee, and on obtaining that will, laid in a stock of vegetable poisons, amongst which it was well known that the *acetate de morphine* was one. In the month of May last, he went to the house of a lawyer called Malassis, on one occasion, to learn whether a will made in favour of a physician was valid, and on another to require him to receive such a will, adding, that the person who had made it was attacked by a dangerous disease, and had spit blood several times—a circumstance entirely false. In a few days after these conversations, Castaing, though his profession required his constant attendance at Paris, formed a country party with Auguste to visit St. Germaine and St. Cloud. On the morning of the 29th of May, they set out for St. Germaine-en-Laye in a small carriage, and without servants, though Auguste had three horses, a carriage of his own, and servants, who were doing nothing;—that they returned to Paris in the afternoon of the same day, and left it in the evening in the same manner

as they had quitted in the morning. In the interval between these two rides, Castaing went, without any apparent motive, to his own house, in which he kept a quantity of *acetate de morphine*, and also to the house of Malassis, where, though Malassis was not at home, he left Auguste's will and a letter without signature. On the same evening, Castaing and his friend arrived at St. Cloud, walked together during the whole of the 30th, and in the evening, entered the inn of the Blackamoor's Head. On their entering, Castaing asked for some warm wine for his friend, into which he said that it was not necessary to put any sugar, as he had himself bought sugar in the town; he also said, that he had bought lemons, and these, it was suggested, were for the purpose of neutralizing the bitter taste of the *acetate de morphine* in warm wine. After the sugar and lemon had been put into the wine by Castaing without witnesses, it was offered to Auguste, who was so disgusted with its bitterness as to drink but a very small portion of it. He passed, however, a very restless night, and, in the morning, was not able to get up. At four o'clock the next morning, Castaing roused the people of the inn, to open the doors, that he might walk into the park, as he said, but in reality that he might go to Paris, and there purchase an emetic, and some *acetate de morphine*.

The indictment further stated, that Castaing on his return to the inn, immediately called for some cold milk, and ordered Auguste to take it; that Auguste did so, and was immediately seized by a violent fit of sickness and purging; that Auguste having proposed to have

a physician sent for from Paris, a physician of the place came instead, who desired Castaing to prescribe for his friend; that Castaing refused, and requested this physician, M. Pigache, to write down his prescriptions, and that, having obtained them, he preserved them carefully, in order to show that Auguste had been under other medicinal advice than his; that this physician offered to return to see his patient, but that Castaing refused him leave; that Castaing did not administer the prescriptions of M. Pigache, that M. Pigache, however repeated his visits, and, finding every symptom of his patient worse, he thereupon cupped and bled him, which produced some improvement; that he proposed to repeat the operation, but was dissuaded by Castaing; that Castaing, apparently by order of Auguste, sent for a servant and a carriage from Paris, but at the same time, commanded in the name of Auguste, in the most express terms, that his illness should be concealed, and that no person should be allowed to come to him at St. Cloud; that on the arrival of the servant, who had been sent for, he placed in his hands two keys belonging to Auguste, and ordered him to carry them immediately to Malassis; that M. Pigache ordered a soothing draught for the patient; that Castaing gave him a spoonful of it, and that, within three minutes, the patient fell into a fit, lost his senses, and shortly afterwards expired in great agonies; that the physicians examined the body of Auguste, and found in it upon dissection all the symptoms which were likely to be there, if Auguste had been poisoned by the emetic or the *acetate de morphine*, though

they would not undertake to say that those drugs were the cause of his death.

After the reading of the indictment was concluded, the President ordered the witnesses on both sides to withdraw. The order was immediately obeyed; and 65 witnesses on the part of the Crown, and 26 on the part of the defence, left the court.

Castaing was then examined by the President, and in answer to questions put to him, asserted, that he had never written a single prescription for M. Hippolyte Ballet during his illness; that he had never prevented any of his relations from coming to see him; but that, on the contrary, he had given Madame Martignon an opportunity of seeing her brother, contrary to his express wish and desire. He admitted that he was well acquainted with the effects of vegetable poisons, and that he had bought a considerable quantity of the *acetate de morphine* about the time of M. Hippolyte's death; and in opposition to his first declarations, attributed the rapidity of that gentleman's death to the bad state of his lungs. He denied that Hippolyte had ever made a will, but admitted that he had drawn up the *projet* of one upon a loose piece of paper, in which he left the greater part of his property to his uterine sister, and little or nothing to his brother; and that, in consequence of a conversation which passed between himself and Hippolyte, that *projet* was destroyed, and Hippolyte became reconciled to his brother about a month before his death. He denied that he had ever paid, or said that he had paid, 100,000 francs to Lebret to obtain from him the duplicate of the will placed in

his hands; and asserted that Mademoiselle Percillie, in saying that he had made such a declaration, was influenced by the hatred which she felt against him for his endeavours to wean Auguste from her society. He allowed, that he went, on the 8th of October, with Auguste and Prignon to the bank of France, but protested that Auguste had never shown to him any notes, or bundles of notes, which he then received. He acknowledged, that he had been frequently dunned for a bill of 600 francs; but the reason of that was that he had accepted it for a friend, and that he thought it hard that he should be compelled to pay it. He admitted, that he had received a gift of 100,000 francs from M. Ballet; but that was partly in payment of a perpetual rent-charge of 4,500 francs, which M. Hippolyte had left him by will.

On the third head of charge, the prisoner admitted that he was acquainted with Auguste's design of making a will; the reason, which Auguste, who was a young man, gave for making it was, that, after seeing his father, mother, and brother die shortly after each other, he was afraid that he himself should not live long, especially as he frequently suffered much from swellings in the throat, and thought himself liable to a laryngian phthisis. He had gone with Auguste Ballet, on the 25th of May, to carry his will to the house of Malassis. On the 29th of May, he had gone with him to St. Germain-en-Laye, to hire lodgings in the country for the summer. Whilst there, they called upon several gentlemen of their acquaintance, and after strolling in the park, returned to Paris. At this time, Auguste had no symp-

toms of illness properly so called, except it were a dull heavy pain in his head. It was about half past eight o'clock in the evening, that they started for St. Cloud. He went there at that hour to please Auguste, and for no other reason.

Tuesday, Nov. 12.—The examination of the prisoner was continued.

Being asked what motive Auguste could have for making him his universal legatee, after he had already given him 100,000 francs as a reward for his conduct on the death of his brother M. Hippolyte, he replied that Auguste did not love his sister, but always recollected the annoyances which he had suffered in his youth from the extreme partiality which his mother had shown to Madame Martignon. Being likewise asked in what manner he had spent the 30th of May at St. Cloud, he replied that they had strolled up and down the park as far as Calvaire, and in the evening as far as Sevres; that they had taken a meal at Cornaille's; and that, during that day, Auguste had complained of the cholic, and had more than once been compelled to retire into the forest. He admitted, that, on entering their inn, wine had been called for, though he did not know whether it was by Auguste or himself. He ordered them to put no sugar in it, because Auguste had bought some at the confectioner's. He had himself bought the lemons; and the only reason why the keeper of the inn was not allowed to furnish every thing was, because Auguste thought that they did not know how to mix them properly. He quitted the room, as the wine was brought in, and Auguste mixed the lemon and sugar in it, whilst he was

absent and attending in his medical capacity on a servant of the landlord who happened to be ill. He admitted, that, on his return, Auguste complained to him of the bitterness of the wine; but on being asked whether he did not know that the *acetate de morphine* gave a bitter taste to draughts, he replied that he could not speak to that point from his own knowledge; Auguste had a very restless night, and so had he himself, in consequence of the noise which the cats and dogs made.

The President.—And yet all the inhabitants of Cornaille's house depose, that there was no noise in it whatever upon that night.

The prisoner's examination continued.—On the morning of the 31st of May he proposed a walk to Auguste; but Auguste said "No, we walked enough yesterday; my feet are very much swollen, and I shall not be able to put on my boots." Finding that to be the case, he got up himself at 4 o'clock in the morning, and walked to Paris, for the purpose of procuring poison to destroy the animals which had disturbed them during the night, and also to make experiments with.

Being asked why he purchased the poison of two different druggists, he replied that his original intention had been to go to his own house for it, but that he had changed his mind in consequence of recollecting that his brother, whom he had not seen for seven years, was there, and would prevent him from returning to Auguste at St. Cloud. On that account he purchased the *acetate de morphine* of M. Chevalier. At first he did not think, that he should want the emetic, but afterwards, recollecting that it might be necessary, he pur-

chased it of a druggist, whose shop was in his road to St. Cloud. He got back to St. Cloud between 7 and 8 o'clock in the morning; and on his arrival there, asked, by desire of Auguste, for a jug of new milk warm from the cow. On getting it, Auguste poured out the milk, and drank it; so also did he. Auguste, within three quarters of an hour after drinking this milk, was seized with violent vomitings and frequent evacuations of bile and black substances; by the prisoner's order, a servant took away the pot, into which these evacuations had been made. The prisoner next admitted, that he then left the room; and being asked why he did so, said it was to fling into the privy the *acetate de morphine* and the emetic, which he had purchased in Paris, and which he had mixed together in a phial. About 11 o'clock the doctor, Pigache, first arrived; and prescribed a cooling draught for the patient, who only took it twice. About one o'clock the doctor came again, and prescribed a different draught, which was made up at a druggist's at Boulogne. Castaing admitted, that he gave Auguste several spoonfuls of this draught. Being told that a witness, who had seen him administer a spoonful of this draught, declared, that, within five minutes afterwards, the most alarming symptoms appeared in Auguste, accompanied by strong convulsions, he replied that those symptoms did not appear till 9 o'clock, when Auguste had taken several spoonfuls, and that Auguste did not lose his knowledge of what was passing around him till ten o'clock, a point on which the president informed him he was directly contradicted by other witnesses. The prisoner further stated, that,

when M. Pigache returned at eleven o'clock, he bled Auguste, and ordered him to apply leeches; that he accordingly did so; that M. Pigache advised a second bleeding, but expressed a fear lest the patient should expire in the midst of it; that he did not object to it, but only said that it was a matter of great delicacy. Being asked his opinion as to the causes of the rapid progress of Auguste's disease, he replied that he was ignorant of them; that, as to the nature of the disease, it appeared to him at first to be a *cholera morbus*; and afterwards to be a congestion on the brain, occasioned by an inflammation of the intestines. He acknowledged writing a letter to Malassis, informing him that he sent him two keys, and recommending him not to say that he had received them from him (Castaing), and to conceal their relationship with each other. Being asked why he had denied the writing of such a letter on a former examination, he answered, that he had done so to conceal a circumstance, which might appear to cast suspicion upon his conduct. He denied all knowledge of the keys which he had sent to Malassis, and of the contents of the boxes whose locks they opened.

The president informed the prisoner, that other persons, who were less in the confidence of Auguste than he was, were well acquainted with the fact of Auguste's having received, only a few days before his death, 100,000 francs, and of his having 70,000 francs in bank notes still untouched in one of his boxes. He therefore wished to know, when it was that he sent the keys to Malassis.

The prisoner replied, that it was on the 31st of May.

President.—All this arrangement is perfectly consistent with your interests as universal legatee. I now ask you, whether, on the day the body was opened, you did not try to speak with M. Pelletan?—I did.

Why?—To ask him the result of the operation.

Did you not ask him, whether any thing had been discovered, which could inspire you with alarm?—I do not recollect.

Why were you so uneasy, if you had nothing to reproach your conscience withal?—Terrible suspicions were afloat regarding me.

The prisoner's examination having closed, the president suspended the sitting for half an hour. On its re-opening,

M. Martignon, the brother-in-law of Hippolyte and Auguste Ballet, (being *partie civile* in the cause, he could not give evidence upon oath), was called upon to state what he knew regarding the death of Hippolyte Ballet.

M. Martignon said, that, in consequence of the improvement which appeared visible in Hippolyte's health at the conclusion of the month of September, 1822, he was considerably surprised at hearing, on Thursday, the 1st of October, of his being very dangerously ill, and, on the following day, of his being in the very agonies of death. After recounting the excuses to which Castaing resorted to prevent his wife from having access to her brother during this illness, he informed the court, that on the evening of Hippolyte's death, he had, with the consent of Castaing, called in another physician, M. Segalas; that, after Hippolyte's death, that physician advised that his body should be opened, not from any suspicion

of his having been poisoned, but under the idea that the complaint of which he died was a family complaint, and that the knowledge so acquired of its nature might be of use to his surviving relatives; that he informed Auguste Ballet and Castaing of this proposal; that they agreed to it; that the body was subsequently opened by Castaing and M. Segalas; and that the appearances of the head and stomach were precisely similar to those afterwards observed in the head and stomach of Auguste. He also stated, that when Hippolyte's desk and drawers were opened, not a paper of any description was found in them, though it was known, that he kept receipts of all his expenditure—nor any money, though Hippolyte had told him, only the day before his illness, that he had 6,000 francs by him, to pay his carpet-maker's bill. He affirmed that he knew nothing of any will being in existence.

The President.—Have you had no explanation with Lebret regarding Hippolyte's will?

M. Martignon.—Lebret told me, that Castaing, who had been commissioned to look for it, had told him, that Hippolyte had made a will in our favour, but had afterwards destroyed it. I replied to him, "So much the better, for it would have irritated Auguste against us."

The president then called upon him to state, what he knew regarding Auguste Ballet.

M. Martignon then declared, that, on the day of Auguste's death, being informed that Auguste lay dangerously ill at St. Cloud, he immediately set off for that place, but did not arrive at it until after Auguste's death. The physicians, Segalas and Pelletan, there in-

formed him, that the circumstances of his brother-in-law's death were so extraordinary, that they required judicial investigation; and, in consequence, he consented that they should jointly draw up a *procès verbal*. Whilst this was doing, Castaing came into the room, and being informed of their proceedings, expressed his warm approbation of them, stating at the same time, that it was his opinion that Auguste had died of a congestion on the brain, occasioned by some pecuniary losses, and also by his grief for having deserted Mademoiselle Percifflé, of whom he was strongly enamoured. On retiring with Castaing, he asked him, whether his brother-in-law had said any thing to him regarding the disposition of his property. Castaing replied, that he had given him two keys to send to a man called Malassis. He desired Castaing not to send them to that person without giving him previous information, and Castaing said that he would not. He then described the proceedings which took place at St. Cloud, before the *Juge de paix*, from their first institution down to the time that Castaing was taken into custody. When he first saw Castaing after that event, Castaing told him that he had no knowledge of Auguste's having left any will; but that afterwards, when the body had been dissected, and when the *Procureur du Roi*, at his request, had asked Castaing for Auguste's keys, Castaing said in giving them up, "If it is to look for the will you want them, it is unnecessary, for that is in the hands of M. Malassis." In consequence, he waited upon M. Malassis, who confirmed what Castaing had said, and promised him to deposit the will in the hands of

the proper authorities. Malassis deposited it in the hands of M. Sené, from whom he (Martignon) first learned that Auguste had appointed Castaing his universal legatee.

Madame Martignon, daughter of the mother of Hippolyte and Auguste Ballet by a former marriage, gave the same details as her husband, and added, that Castaing had prevented her from entering Hippolyte's chamber, by telling her, that her brother did not wish to see her, and that her presence would produce a dangerous change in his situation—that, affected for a moment by her tears, he had allowed her to see her brother in the looking-glass of the dining-room—that she had then muffled herself up in the maid servant's dress, in the hope of reaching Hippolyte's room under that disguise—that Castaing stopped her, by observing that her brother would know, that she was not his servant from her superior size—and that on Castaing's leaving the house, she had crawled on all-fours into the ante-room of Hippolyte's bed-chamber, in order that she might hear the voice of the brother she was not permitted to see.

M. Lherminier and M. Segalas, two medical gentlemen, agreed in saying, that in 1821 Hippolyte appeared to them to be in the second stage of a pulmonary tuberculous consumption, under which he might have lingered for a considerable time. On the 2nd of October, that disease appeared to be increased by an inflammation in the chest. On opening his body after death, that was actually found to be the case. The same appearances would have been found, had Hippolyte died of any vegetable poison. They agreed that certain

vegetable poisons, even when administered in sufficient quantities to produce death, might not leave any traces behind them either in the stomach or in any other part of the body. M. Segalas, who had been a member of a commission, which had unanimously declared that eight grains of the *acetate de morphine* would produce death, though no trial of it had been made on the human frame, added, that, after many experiments, which he had since made, he had discovered that 14 grains of that substance, when given to animals, had not killed them.

M. Laennec, one of the professors in the faculty of Medicine, deposed, that he recollected Castaing as an individual who had attended his lectures, and had assisted in performing a cure, in which a very strong dose of emetic had been given without danger; the prisoner had been very unsuccessful in his medical studies.

The witness attributed the death of Ballet to apoplexy. Whether that apoplexy was produced by violent or natural means, no person could state with certainty. All poisons produced apoplexy; nearly all of them left no traces behind, even when given in quantities large enough to produce death.

The President.—What is your opinion regarding the causes of the death of Hippolyte Ballet?

M. Laennec.—As a physician, I can affirm nothing; but as a man, if I had seen Hippolyte Ballet in his last moments under such circumstances as have been related to me, I should have suspected that he had died by poison.

The President.—Castaing, what have you to say to this?

Castaing.—I am not guilty of the crime that is imputed to me. I can

look you in the face (pointing to the image of Christ, which is in the court), I can throw myself at your feet, and say, I have not committed it.

M. Lacpnee.—I have said, that, as a physician, I had no opinion. I have only said, that I should have suspected that Hippolyte died of poison—that I should have investigated the circumstances, and that I should have been sure that no marks of poison would be found.

Dr. Michel, the usual medical attendant on Hippolyte Ballet, had been called in by that gentleman on the 10th of April, 1822, and found him labouring under a tuberculous consumption. That complaint was, however, making such slow progress, that Hippolyte might have lived for many years. He was greatly surprised on hearing, within four months afterwards, that Hippolyte was dead. Being told to read the appearances which were observed on the opening of Hippolyte's body, and to give his opinion from them as to the cause of Hippolyte's death, he deposed that the congestion on the brain might have arisen from natural causes, but that some of the alterations, observed in his system, might have resulted from his having imbibed a narcotic poison like the *acetate de morphine*. These effects, however, sometimes depended on the particular organization of individuals.

M. Petit, a medical gentleman who had attended the father and mother of the two Ballets, deposed to Hippolyte's labouring under a complaint in the lungs, from which with care he was likely to recover. He had not visited Hippolyte for 11 months before his death, and knew nothing whatever of the cir-

cumstances under which he died. He allowed that the suddenness of Hippolyte's death was contrary to what he had expected from the nature of his complaint; but admitted that an inflammation on the lungs was likely to bring it to a very speedy termination. He stated, that poison was calculated to produce many organic derangements, and particularly in the brain.

Castaing asked the witness, whether the ulcerations, which had been observed in the stomach and intestines of Hippolyte, as also the obstruction (*engorgement*) which had been noticed in the brain, might not be the result of consumption combined with pleuropneumony or with any other acute malady.

M. Petit replied, that it might. In reply to some other questions, he stated that Auguste Ballet, entertaining some fears regarding his health, from the sudden death of several of his relations, had consulted him regarding it. Auguste was at that time in perfect health, and he had sent him away from the consultation in very good spirits.

M. Billoin, a druggist, deposed, that in January, 1823, the prisoner had purchased of him at several different times a considerable quantity of the *acetate de morphine*. He told the witness, that he wanted it for experiments upon animals.

M. Caylas, another druggist, deposed that the prisoner had upon two occasions purchased of him *acetate de morphine*. The first time was in May, 1822, and the second on the 18th of September, in the same year; he then asked for ten grains. The witness, before he left the court, remarked, that the indictment stated that the pri-

somer had taken steps to obtain from several druggists declarations in his favour; now he begged leave to say, that nobody had made application to him on behalf of the prisoner.

Le Sieur Joseph, an old servant of Hippolyte, gave an account of the circumstances which occurred at the death of his master. He deposed, that Hippolyte in his last moments refused to see his sister. Being asked how he came to know that circumstance, he replied, because Castaing and the cook had told him so. Castaing told him, that Hippolyte was so ill that he would neither see his sister nor his brother; for he was very weak, and could not talk without fatiguing himself.

Victoire Valdampierre, a female servant in Hippolyte's family, deposed, that she heard her master say, only a day or two before his death, that he would not see anybody, and particularly not his sister. Castaing, after that declaration, told Madame Martignon, that she could not come in. Hippolyte did not assign any reason, why he would not see his sister. He told her, that he had made a will and had torn it, but he did not say, that such will was in favour of his sister. He told her, that he intended to make another will, in which he would take care that his servants should be provided for. In consequence, he ordered her to go to M. Lebret, who was to make it. As she was going, he called her back, saying, "I shall be better to-morrow, and then I will go myself." The morrow came, but by that time her master was dead. She had received only 1,000 francs from the family, though M. Auguste had told her, that she had a legacy of 2,000 francs. She

thought that odd; but still thought it right to take what she could get. She never heard her master say that he had made a disposition of his property in favour of Castaing, but she did hear him say, that Castaing might take his watch and diamond pin; Castaing, however, did not take them.

Castaing.—That watch and diamond pin were, however, sent to me by the family, by Auguste himself.

Mademoiselle Percillie was the next witness called. She described herself as an actress (*artiste dramatique*) residing in Rue d'Amboise, and stated herself to be 27 years of age. She declared, that, to her knowledge, Castaing had caused the destruction of a will before the death of Hippolyte Ballet, or, at least, after his death. She learned from Auguste, that Castaing had induced him to destroy the will of his brother, which had been made in favour of his brother-in-law Martignon and his wife, and which had been deposited in the hands of Lebret. To effect the destruction of it, he advised Auguste to submit to a sacrifice of 100,000 francs, informing him that his brother-in-law had offered 80,000 francs to have it made valid. On the 8th of October, they went to the bank together. Auguste then told her, that he was surprised at the conduct of Castaing, for Castaing had informed him that Lebret would not settle the business of the will with any other person than himself. She herself thought this conduct very strange, and advised Auguste to place no confidence in Castaing. She had heard Castaing admit the existence of a will on five or six different occasions, at her own house; and, on the day that Au-

gusta and he went to the bank; Auguste showed her a red seal, and said that it was the seal of his brother's will, and that he had paid 100,000 francs for it.

Castaing.—In reply to *Mdlle. Percillie*, I have only to say that I never was in her house but on one day. The prisoner here entered into a long detail of circumstances which led to that visit, from which it appeared, that Auguste, being tired of this lady's person, wished to get rid of her, and employed him as agent for that purpose; that she way-laid him in the street, and abused him in good set terms for his officiousness in interfering between her and her friend; that to get rid of her importunities, he consented to admit her into the presence of Auguste; that after doing so, Auguste desired him to go to her house, and tell her that he would on no account receive her future visits; that in consequence he went to her apartments in the Rue d'Amboise, and discharged his commission in as few words as he could; that she was very much irritated by it; that, by the employment of stratagem, she again obtained admission that day to Auguste; that Auguste refused to speak to her; that he (*Castaing*) then offered to conduct, and did conduct her home; and that that was the last time he was ever in her house. He asserted, that he had never been in the witness's apartments in Rue d'Odéon, save once, and then he did not exchange a word with her.

The witness *Percillie* then continued. Auguste had told her, that he was much surprised at finding no money in his brother's house, especially as he knew him to have received 10,000 francs only some days before his death, of which he

was to pay 6,000. to his carpet-maker.

M. de Brue (Avocat-General.)—When you heard of the death of Auguste, what impression did it make upon you?—The witness, raising her voice—"The news of his death affected, but did not surprise me, when I learnt that *M. Castaing* was in his company."

M. Rousell (counsel for the prisoner) requested the president to ask of the witness, why, in her deposition before the *Juge d'Instruction*, she had originally said, that the project of destroying *Hippolyte's* will had been first mentioned to Auguste by *Castaing*, in her presence.

The witness.—The natural grief that one feels at a period so near to so fatal an event, led me into the mistake.

The President.—It is my duty to state to the jury, that the witness rectified this mistake in a subsequent deposition.

M. Prignon proved that Auguste wrote a letter to him, desiring him to obtain of *M. Sandrie Vincourt*, his banker, 100,000 francs, which he wanted for a pressing emergency, shortly after his brother's death. He likewise proved, that after he had obtained a *mandat* on the bank for that sum, he went with Auguste and *Castaing* to the bank to receive it. *Castaing* did not go into the bank with them, but remained at the gates in a cabriolet.

John Leon, a black servant of Auguste Ballet, 23 years of age, was next examined. After confirming the statements of the last witness, regarding the visit to the bank, he proceeded to state, that his master returned thence, home, and bade him call on *M. Lobat* by the way. We passed over the Pont Royal, and drove along La Rue

de Bac to La Rue Hifferia Berten, where M. Lebrez resides.

The President.—Who got out of the cabriolet?

The Witness.—Only my master. I think M. Castaing remained in the cabriolet.

[On former occasions, he had sworn that Castaing was the only person who went into Lebrez's house; and that it was his master who had remained in the cabriolet.]

The witness then detailed the events of the 30th of May, when he went to attend on his master at St. Cloud, in consequence of the letter which Castaing wrote to him. "I found," said he, "my master in a state which was calculated to excite pity. I said to him, 'Ah, my God, what has happened to you?' 'Oh, it will prove nothing,' said my master, 'but, my friend, I suffer much.' I then endeavoured to console him. I said to him, 'you must not be vexed; death comes every day—but there are remedies for every disease, and you will do well to return to Paris.'

'It is my intention,' said my master, 'to return to Paris tomorrow, if I am well enough, and in that case, before I set out I will give 50 francs to the poor of this parish.' M. Castaing then came; the doctor of the place had ordered a draught, which was in a phial. I held the candle, M. Castaing poured out a spoonful of it. My master had scarcely taken it before he found himself worse—he cried 'hem, hem,' and then 'heh, heh.' He then said, 'I am a dead man, I cannot swallow my spittle.' That flung us all into despair. I supported his head; he then appeared suffocated—ho! hum! hum! [The witness here imitated the hiccough of a man in the agony of death.] His nerves

were then strongly attacked, and he ceased to be right in his head.

Was there any thing in the spoon into which Castaing poured the draught?—No, Sir; he poured out the phial just as it was brought to him. I held the candle.

The witness then continued.—M. Castaing gave him the key of his master's desk, and also another key, to carry to M. Malassis; but this advice appeared so strange, that he did not follow it, but brought them back to St. Cloud. He never heard his master complain of ill-health—on the contrary, he generally enjoyed very good health. After the death of his brother, Auguste showed great resentment against his sister, and refused to see her: for instance, in the Thuilleries, when he saw M. Martignon and his sister coming along the promenade, he would turn on one side that he might not meet them.

M. Lebrez deposed, that he had heard Castaing say, that he had himself seen and read a will, in which Hippolyte left all his real property to his sister, and his personal property to his brother. He never heard Castaing say, that an annuity of 4,500 francs was left to him in it. He deposed, that on the 8th of October, neither Auguste nor Castaing came to his house. In giving an account of the events which took place at St. Cloud, he stated that before the opening of Auguste's body Castaing placed his hand upon his heart, and swore that he had no knowledge whatever of the existence of a will.

Castaing.—I did this, because I did not wish to appear at the burial, before M. Martignon, in the character of universal legatee to the deceased.

The President.—I must observe to the jury, that the most precise information has been obtained in the course of this investigation respecting the fortune of M. Lebre, and that it has been found, that it has not received the slightest augmentation since the death of Hippolyte. On that account the proceedings have been dropped, which were originally instituted against him.

Madame Lebre and her servant both asserted, that nobody called on M. Lebre on the morning of the 8th of October.

M. Raison deposed, that Auguste, a few months after the death of Hippolyte, hearing that Castaing had a sum of 8,000 francs, in his possession, had intimated that he had taken it from the desk of his brother Hippolyte.

Two witnesses deposed, that it was very generally rumoured in the family, that Hippolyte had bequeathed the whole of his property to M. Martignon and his wife.

M. Vetry, an exchange-broker, deposed that on the 10th of October Castaing placed in his hands the exact sum of 70,000 francs.

The president here remarked that this sum of 70,000 francs, added to the 80,000 which Castaing had lent to his mother, made up the sum of 150,000, which was the exact sum that Auguste Ballet had received the evening before at the bank. Was it not, then, this same sum of which Auguste told M. Martignon, that he had so pressing a want in order to buy up the will of his brother?

Castaing.—I cannot speak as to what were the intentions or acts of M. Ballet.

The President.—Besides these sums, there are 4,000 francs more which you have lent to another

person, and which it appears, must have come from a source that could neither be honest nor legal. Many witnesses have declared, that, at the time of Hippolyte's death, he had in his desk a considerable sum of money, which has not since been forthcoming. You might have taken this sum of 4,000 francs from his desk. You see that this accusation almost naturally arises up against you.

The prisoner made no reply. Several other witnesses were then examined as to conversations which Castaing had held upon the subject of Hippolyte's will.

The President then informed the jury, that he should now proceed to examine witnesses on the third charge against the prisoner—namely, the poisoning of Auguste Ballet.

M. Orfila, professor of toxicology in the faculty of Medicine, read over the *procès verbal* of the dissection of the body of Auguste Ballet. He then deposed, that, from inspection, of that paper, he could not declare, whether the death of Auguste had been produced by natural causes or vegetable poisons. In answer to repeated questions by the president, he replied, "It is impossible for me, under all these circumstances, to say, whether there has or has not been an attempt to poison. The *corpus delicti* is wanting, because the matter vomited by Auguste is not forthcoming. If that matter had been submitted to me, as well as the liquid contained in the stomach, I could have given to justice the most satisfactory proof. My course of legal medicine leads to the establishment of a point of great public interest, that of revealing crime by showing the existence of poison. By means of an exact analysis, it could easily

discover in a pint of liquid a single half grain of the *acetate de morphine*." The witness then proceeded to explain the measures, by which he was enabled to arrive at such verification. "Two or three years ago," he said, "it was a common error to suppose, that certain vegetable poisons left no trace exclusive of any other symptom of disease—that was even an axiom of legal medicine. At present, chemistry has made great progress, and it is almost as easy to discover the vestiges of vegetable as of mineral poisons.

M. Vauquelin, a celebrated chemist, spoke almost to the same effect. He had analysed the remainder of the cooling draught prescribed by M. Pigache, and had not found in it any poisonous substance.

The medical men, who had dissected the body at St. Cloud, were then examined, and gave similar testimony to that which they had given in the *procès verbal*.

The Court adjourned at half past 4, to 10 o'clock the next morning.

Nov. 13th.—M. Pigache, a doctor at St. Cloud, aged 25 years, deposed, that on Saturday, the 31st of May, Madame Cornaille, the mistress of the Blackmoor's head, came to his house to desire him to visit a gentleman who was ill. He went to her house, where he saw M. Castaing, with whom he went up stairs. Witness, after examining M. Auguste Ballet, asked to see the matter which he had vomited, and was told in reply that it had been thrown away. At eight o'clock on the 1st of June, being more and more astonished at the singular nature of the disease, and seeing M. Ballet almost on the point of expiring, the witness went

to M. de Sully, the mayor of St. Cloud, to acquaint him with what had happened, and to inform him of the necessity not only of having the body opened, but also of having the *Procureur du Roi* present at the time. The *Procureur du Roi* was accordingly sent for, and on his arrival with the *Gens d'armes*, witness proceeded to dissect the body.

Did you think that the cause of death was natural?—It might be natural, or it might be the result of poison. It was the uncertainty I felt, that led me to go to the mayor, and demand that the body should be opened.

Did the patient mention to you his having felt any disturbance, on the second night from the noise of the cats and dogs?—He did not mention any such thing to me—he only said, that he had passed a very unquiet night.

The President.—Prisoner, how was it that the deceased spoke to nobody but you of this pretended noise of the cats and dogs?

Castaing.—He attached less importance to it than I supposed.

The President.—He attached so much importance to it, that, by his desire, you went to Paris to procure poison to rid him of these disagreeable animals.

The next witness called was M. Pellatan the younger, who stated himself to be 42 years old, and one of the professors in the School of Medicine. He deposed, that, on Monday the 1st of June, he went from Paris to St. Cloud in great haste, in consequence of a letter which was brought to him from M. Pigache by a black servant. On his arrival at the Blackmoor's Head, St. Cloud, he was introduced to Castaing and the sick patient Ballet. "I then made

myself acquainted," said the witness, "with every thing that had been done. A first bleeding had been attended with success, and as I thought a second might produce the same favourable consequences, I prescribed it. By that time, however, it was too late, and the blood would scarcely flow at all. Seeing the condition of M. Ballet growing worse and worse every instant, I employed myself in drawing up the juridical papers, desiring M. Pigache at the same time to frame a statement of the progress of the disease. M. Pigache and I then went out, and, during our absence, the patient died. Whilst this was passing, I had different conversations, sometimes with M. Pigache, sometimes with M. Castaing. M. Pigache told me, that Castaing had informed him in confidence that he was interested in the succession of M. Ballet, but that he did not know whether he was universal legatee, or only had a limited legacy. At the time we judged the patient's condition to be desperate, I saw M. Castaing shedding tears and overwhelmed with sorrow. I said to him, 'You are yourself in a dangerous position; you have come with your friend to pass two days at St. Cloud; you are a physician, and a legatee under his will to some amount.' 'Yes, sir,' replied he, 'it is true; I am his universal legatee.' 'Well,' said I, 'the man, who has bequeathed you all his fortune, is on the point of death; the symptoms of his disease are of the most extraordinary nature; if any thing should befall him, you will be in a dangerous situation.' 'How,' replied Castaing, 'do you think that I shall be suspected?' 'Certainly,' answered I, 'I am of opinion that the least we can do will

be to take every step in our power to ascertain the cause of his death. As far as I am concerned, I shall declare that the body ought to be opened in a juridical manner.' 'Ah, sir!' exclaimed Castaing, 'you will render me the greatest service, you will act the part of a father to me by insisting that such a measure be adopted.' As he appeared extremely agitated, I endeavoured to console him by assuring him, that the opening of the body should be performed with the greatest possible care. Our conversation then ended. On returning from Paris to St. Cloud the next day, I found Castaing in the custody of the gendarmes. He appeared very anxious to learn the result of the examination of the body, from a conviction, that, if no trace of poison were found in it, he should be instantly set at liberty. On the examination being concluded, and no trace of poison being found, I was permitted by the Procureur du Roi to communicate that point to him in a general manner. I did so. He asked me, whether they would release him. I replied, 'I cannot tell; but the truth is, we have found no proofs on Ballet of a violent death.'

M. Georgetat deposed, that, on the 27th of May he went to the theatre of Porte St. Martin, with M. Ballet and M. Horace Raimon, to see the first representation of *Polichinelle Vampire*; and that he inferred from a conversation between them, that A. Ballet had not then made a will. Ballet told him that his mother had died of a quinsy, and that he was afraid that he should some time experience the same fate. He also said that he frequently spit blood. Witnesses laughed at his declarations, because he saw that Auguste en-

joyed very good health. Witness then stated, that after the death of Ballet, on the 1st of June, he went with M. Martignon and M. Rafson to St. Cloud, and that he then heard Castaing assert, that Auguste had left no will.

Sophia Borget, a mantua-maker, who had lived for some time under the protection of the deceased, A. Ballet, merely stated, that she had heard him say—"I am on terms of intimacy with Castaing, because he enabled me to succeed to my brother's property, by destroying his will."

M. Malassis, a relation of Castaing in the 7th degree, and second clerk to M. Colin de Saint Meuge, was then examined. "The prisoner," said the witness, "came to see me in the beginning of May, and asked me whether a will made by a patient in favour of his physician was valid. I told him that it was, provided that the physician had not nursed his patient. He returned some time afterwards, and told me that one of his friends, who was ill in the country, had made a will, in which he was left 10,000 francs a year. That friend, attacked by an incurable disease, had only one sister, to whom he did not intend to leave a farthing, on account of an irreconcilable quarrel that he had with her. He then asked me, what were the formalities required for a will that was written throughout in the testator's own hand-writing. I dictated to him a form, which he wrote down in his memorandum-book. His friend, he said, desired to have his will deposited in the hands of a third person. I proposed to him to deposit it in the hands of my master. He preferred me as a depository, because he was not acquainted with

my master, and reposed entire confidence in me. In the evening of the 29th of May, whilst I was out, he deposited on my desk the will in question, with the letter which is in the possession of the court. On the following Monday he wrote me another letter, informing me that Ballet was just dead. I complied with the requisite formalities, and presented the will to the president of the tribunal de première instance. The will was then deposited with M. Sené, because he was the successor of M. Ballet, the testator's father.

Cliquet, the porter to M. Colin de St. Meuge, the notary, deposed, that on Monday the first of June a young man, whom he did not know, but who was not the prisoner, left in his box, at three o'clock, a letter for Malassis.

14. The doctor, Laennec, who had been previously examined, was recalled by the president, and desired to give his opinion upon the following case:—A man 25 years old, usually enjoying good health, takes in the evening warm wine in which has been put some lemon and a quantity of *acetate de morphine*, sufficient to cause death, or to produce considerable derangement in the animal economy. He takes this warm wine at nine o'clock in the evening; the next day, at nine o'clock in the morning, he takes some cold milk, in which there has also been mixed a portion of *acetate de morphine*. At six o'clock in the evening, he has given to him a spoonful of a potion in which there is mingled some *acetate de morphine*. The court is desirous of knowing, what would be the probable consequence of giving that last potion.

M. Laennec.—The *acetate de morphine* is a substance still new,

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and of which the use has been adopted very recently indeed. Very few physicians have yet employed it. Many physiologists have made experiments with it upon animals; but one cannot conclude from these experiments upon animals, what the effects will be that it will produce upon man. Those effects may vary; but, in general, if a substance extracted from opium can excite sickness, the effects which follow it will not be the same as if sickness had not followed it. Besides, the effects vary according to the age and strength of the individuals; it is with it as with emetic—one man may take 100 grains with impunity, whilst another will die from taking ten.

M. Ally, a gentleman with whom Auguste Ballet had been extremely intimate, never heard him say a word about having made his will.

Catherine Habert deposed, that she carried the wine on the evening of the 30th of May to Castaing and Auguste Ballet. She tasted it, as did also M. Castaing. It was sour, but not bitter. She drank but a little of it. Castaing drank a glass.

M. Caillot, an apothecary, deposed that he had sold some *acetate de morphine* on the evening of the 30th of May.

M. Chevalier stated the circumstances under which the last witness, who was then his pupil, had sold the poison in question.

M. Audebert, druggist, stated that Castaing had bought of him 12 grains of emetic at half-past 6 o'clock on the morning of the 31st of May, and detailed the excuses which he had made for purchasing it.

The *Gens-d'armes*, in whose custody Castaing had been placed, described the great anxiety which he

exhibited, whilst the body of the deceased was undergoing medical investigation.

The case on the part of the prosecution here closed. (Nov. 14.)

The first witness called on the part of the defence was M. Chaussieur, a physician of 80 years of age. He stated that he had known several instances of death under circumstances as extraordinary as those of Auguste Ballet, in which not the slightest ground for supposing the deceased were poisoned was detected on opening their bodies. The witness then stated, that if the red spots observed in the stomach of Auguste had been produced by poison, they would have been spread over it generally; instead of which they were merely local.

The President.—Might they not, however, have arisen from poison?

M. Chaussieur.—“Let us not lose ourselves in the vagueness of possibility; you know as well as I, that *ex posse ad actum non valet consequentia*.” He then proceeded to state, that, as the evacuations of Auguste had not been preserved, there was a *corpus delicti* wanting in this case.

The President.—You are not wanted here to teach the president his duty, but simply to answer such questions as he may put to you. May the poison have been the cause of Auguste's death?

M. Chaussier.—Death may be caused by a thousand circumstances.

M. Roussel, counsel for the prisoner.—After the death of A. Ballet the pupil of his eye was contracted; is that the natural effect of narcotic poisons?—No, on the contrary, those poisons dilate prodigiously the pupil of the eye.

M. Barruel and M. Magendie,

two members of the Institute, deposed to the same effect as the last witness.

M. Brechet, professor of anatomy in the School of Medicine, deposed, that he knew the prisoner from his having studied dissection under him. He likewise deposed to Castaing's being received into several most respectable families on intimate terms.

M. Barbier, chief surgeon in the military hospital of Val de Grace, gave the prisoner a good character for morality, talent, and industry in his profession.

Several witnesses, belonging to the lower order of society, spoke in strong terms of gratitude of the attention which they and their families had received from Castaing during ill-health. He always declined taking any fee from them.

The President told the prisoner, that, though these witnesses proved, on the one hand, the disinterestedness of his character, they proved, on the other, that his practice was not among the opulent classes of society. How, then, was it that you were able by your economy to lay by the 4,000 francs, which you said the other day that you had laid by?

Castaing. — I have only summoned such witnesses as could speak to the morality and disinterestedness of my character. I have not summoned those of my patients who paid me for my trouble.

A woman of the name of Peison proved, that on one occasion, when Castaing was not with Auguste Ballet, he had been seized with a fit of indigestion, which produced violent vomitings, and that it had been necessary to call in a physician to cure him.

M. Talvander, a clerk in the office of the minister of marine,

stated, that he had been a pupil of Castaing, who had always had 7 or 8 other pupils. He paid him from 40 to 50 francs for attending his lectures for two months.

The evidence for the defence here closed.

The two following days were occupied with the speeches of counsel.

On the 17th, at half past eleven at night, the jury Acquitted Castaing of the charge of poisoning Hippolyte Ballet, but found him Guilty of destroying the will, and also of poisoning Auguste Ballet, by a simple majority of 7 against 5.

The court joined with the majority of the jury.

Castaing, being informed of the result, uttered several incoherent exclamations, importing that he was innocent; but that he should die with pleasure, as death would unite him with the dear friends, whom he was accused of murdering.

While the court was deliberating on the sentence, Castaing addressed to his advocate, Roussel, some impassioned language, with a delirious vehemence of gesture, importing that he was innocent, and should blush to beg for mercy.

At midnight he was sentenced to death, and to 100,000 francs damages, and costs towards the civil party in the proceedings.

He had become more calm, and said not a word during the time of pronouncing sentence. He died protesting his innocence.

Trial of the Widow Boursier and Nicolas Kostolo.—Nov. 27.

Marie Adelaide Bodin, widow Boursier, was indicted for having, on the 28th of June, made

B* 2

an attempt on the life of her husband, Guillaume Etienne Boursier, by a poisonous substance capable of causing death; and Nicolas Kostolo, a Greek, for being an accomplice, and with foreknowledge, aiding and assisting the said widow Boursier in the acts which prepared and facilitated the same crime.

It appeared from the narrative in the indictment, that the deceased Boursier married the female prisoner in February, 1809, and that they had five children, the eldest of whom was 12, and the youngest 5 years of age. Boursier carried on the trade of a grocer in the Rue de la Paix. His business was good, and he expected, in the course of four years more, to retire with an annual income of 15,000 francs. The husband and wife lived happily together, until about the middle of last year, when Kostolo was introduced to the family by an aunt of Madame Boursier. He visited the shop daily, under the pretence of procuring for himself a *valet de chambre's* place. A criminal connexion was very soon formed between this Greek and Madame Boursier; but their meetings were managed with caution, and did not excite the jealousy of the husband. The lady walked out, of a morning, to the Champs-Elysées, accompanied by the Demoiselle Reine, a girl who assisted in the shop. In these walks they met Kostolo, as if by accident. They then proceeded to Kostolo's lodgings, where the young woman, who was made the confidant of the intrigue, left them, and returned at an appointed time for her mistress.

Boursier always breakfasted on boiled rice, which was prepared for him by a female domestic, named Josephine Blin, in an iron

saucepan. On the morning of the 28th of June, the rice was brought in the saucepan, and placed in the room where Boursier usually breakfasted. It was the custom of this girl to retain a small portion for herself and for the youngest child. She did so on this occasion, and she and the child ate their share, without experiencing any inconvenience from it. Boursier and his wife were passing to and fro from the shop to the room in which the saucepan was deposited; but, according to the account of the girl, Blin, not more than four or five minutes had elapsed after she had brought in the breakfast, before her master called her, and complained of something disagreeable in the taste of the rice. He was seized with a violent fit of vomiting, and physicians were called in; but the patient got worse and worse. The rice was eaten about 9 on Saturday morning, the 28th of June; and, on the Monday morning, at a quarter before 4 o'clock, Boursier was dead. The medical attendants wished the body to be opened, but the widow objected, and the deceased was interred on the Tuesday morning. Kostolo was present during the illness of Boursier, and assisted in administering medicines to him; in fact, the unfortunate man died in his arms. Suspicion of unfair treatment soon arose in the neighbourhood; and the police being applied to, the body was disinterred and dissected. On examining the stomach, arsenic was discovered, and the widow and Kostolo were arrested.

The greater part of the first day of the trial was spent in reading the indictment, and examining the prisoners in the French style. When the interrogatories were concluded, witnesses were called.

On the second day, all the witnesses were heard, who proved the principal circumstances set forth in the indictment.

On the close of the evidence, the charge against Kostolo was withdrawn.

On the 3rd day, the jury, after deliberating during one hour, declared both the prisoners *Not Guilty*. The president then informed Madame Boursier, that she was at liberty; and as the jury had acquitted her, he hoped she would experience an equal absolution from her own conscience. Of Kostolo, he expressed his opinion more severely. "This foreigner," said he, "appears before you, the jury, under circumstances far from favourable. Debauchery is his only means of existence, the desire of money his only passion, and he is sincere only in his ingratitude. Kostolo will be allowed to depart from this court, but he will leave it with ignominy! Let him be thankful for escaping the tribunal which punishes guilt; he will not be absolved by that tribunal which stigmatizes baseness! Acquitted by the court of assize, he will be punished by public contempt!"

KING'S BENCH, DUBLIN.

Trial of the persons accused of an outrage upon the Lord Lieutenant of Ireland.—FEBRUARY, 3, 4, 5, 6, 7 and 8th.

The trial of the several traversers for the outrage upon the marquis Wellesley, excited the most intense anxiety. The novelty of the charge, the grave importance attached to every trial at bar before all the judges of the highest tribunal, the political connexions of the

traversers, and the peculiar circumstance of a trial upon an *ex officio* information after bills of indictment had been ignored for the same charge—all these circumstances combined to fix the public attention so entirely, that the raging of a violent electioneering contest was scarcely sufficient to distract any portion of the public interest.

At seven o'clock in the morning, the avenues to the court were crowded by barristers in full costume, and an immense attendance of citizens of every degree. The doors of the court were closed, except to favoured individuals, until after nine o'clock, when they were opened to the public, and the burst was not only general and oppressive, but violent and alarming.

The traversers were placed at a side bench on the left of the bar-benches, in the following order, viz.:—*James Forbes, Wm. Graham, Geo. Brownlow, Wm. Handwich, George Graham, and Henry Handwich*. They appeared to enter the court with considerable confidence: the three former seemed to be persons of respectable condition; the others were not so much so. Mr. Sheriff Thorpe interchanged smiles of recognition with some of the traversers. Fifteen counsel appeared for them.

Mr. Driscoll, on behalf of the traversers, observed, that there were two informations filed against the traversers, and required, that they should be tried upon them severally, and that the attorney-general should now select which should be tried first.

The Attorney-general insisted, that as the circumstances, on which the two informations were grounded, were the same, the two informations should go to the jury

together. This was the uniform practice on circuit.

Chief Justice.—This Court has not a right to deprive the crown of its right to put them on trial for the two informations together, when grounded upon the same circumstances, as appear by the copies of the informations laid before us.

There was not any Roman Catholic on the panel, nor any ostensible member of the Corporation. The jury having been sworn,

The Attorney-general, at a quarter past twelve o'clock, commenced his address to the Bench and jury, which lasted for two hours and a quarter.

The first witness called was Richard Lowther, box-keeper to the Theatre-royal, who deposed to the purchase of several pit-tickets of admission to the theatre for the evening upon which it was announced, that his excellency was to honour it with his presence. The tickets were purchased by the traversers Forbes and Wm. Graham, and another person.

George Atkinson, examined by the Attorney-general.—Knows of the endeavours made to produce disturbance in the theatre. They were planned in the Orange lodge, No. 1612. Forbes belongs to the lodge No. 1660, and W. Graham to the same; cannot tell the number of the lodge to which George Graham belongs; the two Handwitches belong to the lodge 780, and Brownlow to No. 1612. An assembly was held on the Friday evening before lord Wellesley went to the theatre, at the public house in Werburgh-street, belonging to Peter Daly. Lodge No. 1612 met there; it is a purple lodge, which is the next higher lodge above an orange lodge, and it is required

that the member should be eight months an orangeman, before he can be admitted. There were about twenty people there: witness is a member; some were members and some visitors; Forbes was there. Robert Fletcher, the master of the lodge, stood up, and proposed that a subscription should be raised for defraying the expense of men going to the theatre who could not afford to pay for themselves. The purpose he mentioned was, that they should hiss and groan at his excellency, and also the lord mayor; they did not like lord Wellesley, and it was on that account that they intended to try, if possible, to force him to leave the theatre. It was understood among us all, what was the purpose of sending the men there. Heard from the persons there, that there had been a prior meeting at the Shakspeare tavern: it was there mentioned, that if they could force his excellency to leave the theatre, it would stamp on the minds of the ministry the unpopularity of his excellency's government. The persons, for whom the tickets were purchased, were to be sent to the upper gallery, because it was considered, that the members of lodge 1612 would be enough for the pit, to which they were appointed. The members of that lodge were to attend early, and when the doors were opened, they were to force their way into the pit, and get on the left side near the box of the lord lieutenant, for the same purpose as they sent the other men to the upper gallery. Brownlow, the traverser, is a member of lodge 1612; and while they were speaking of the matter, after the play, he said he was in the pit, with numbers of the lodge 1612; and that there were numbers of them

there, but not altogether in the spot appointed for them. Those members of the lower lodges, who could not afford to buy tickets for themselves, were to be sent to the upper gallery. Neither of the Handwatches were at the lodge that night. The party subscribed about one pound; two pounds were brought them by John Atkinson, the brother of witness, to be applied to the same purpose: it was all handed to John to purchase pit-tickets, in order to admit persons to the upper gallery, as every pit-ticket would admit three persons there. Witness went with his brother John, on that day, to where W. Handwitch works; saw him there; John told him to send H. Handwitch to Ship-street, where the other orange lodge was held that evening, and also to bring as many as he could get of the poorer classes of orangemen, who could not provide tickets, to the sign of the Black Bull in that street. At 4 or 5 in the afternoon, saw Forbes, a person named M'Culloch, witness's brother John, Henry Handwitch, George Graham, and several others, at that house in Ship-street: one pit-ticket was given to every three, to give to the poorer class to admit them to the upper gallery; from 20 to 30 tickets were given, which would admit from 60 to 90 persons. There were about 30 persons present at the time; all that were at Ship-street went to the theatre that night; there were full as many in the theatre as left the lodge; they had sticks with them. It was then mentioned, that, after the tune of "God save the King," they should insist on the "Boyne Water" being played by the musicians; and they were not to let the play go on for the remainder

of the evening, until it should be played. This was to be effected by their making as much noise as they could. It was arranged on Saturday evening, that they might know one another by the words "Look out," which were to be used as the watch-word of the night. When Handwitch was going away, he said to the men that were going to the theatre, "Boys, be wicked." Witness saw that party afterwards in the upper gallery, on the opposite side to lord Wellesley: witness assisted in placing them in the gallery, along with Forbes, M'Culloch, John Atkinson, and Henry Handwitch: witness left them in about twenty minutes, and saw them after towards the centre of the gallery; saw Forbes in the house that night in the upper tier of boxes; he had a small whistle in his hand, and whistled with it—he was within half a yard of the gallery, and was speaking to some of the party in the gallery. This was after the first part of the riot. Saw hand bills going about in different parts of the house—they were printed. Saw them before in manuscript with M'Culloch (they were produced and identified); saw M'Culloch dispersing them through the house, from the part of the house immediately over the lord lieutenant's box, and one of them fell on his cushion. Knows a person named Kelly; and did not see him at the theatre that night, but saw him after the play at a house in Essex-street, belonging to a person named Flanagan: saw Forbes throw some of the hand-bills on the stage; heard whistles and shouts from the gallery: some cried out "A groan for the popish Wellesley;" some one also cried out "Bald-pated Wellesley, you

may go home;" at that time there was much noise, and the performance was interrupted sometimes; after those expressions were used, he saw Forbes speaking to the people in the gallery; knows nothing of a bottle having been thrown. There was a good deal of conversation. Forbes made use of the expression "The devil mend him" (lord Wellesley), when speaking of the bottle having been thrown; that he did not care if he himself were transported, so as he could raise an orange-lodge wherever he should be sent. There was no particular conversation, but a mere running conversation among themselves; they were speaking as to Handwitch being taken, and who was to go bail for him. Forbes asked some of them who had been in the pit, why they had not been more active? He said this to Brownlow, who answered, that those in the pit did as much as those in any other part of the house. They said, that Handwitch was charged with throwing the bottle. They expressed themselves in terms, that they were sorry in fact that the bottle did not take effect. Forbes, Brownlow, M'Culloch, and several others were present during the whole of this. The witness here identified all the traversers.

On his cross-examination by several counsel for the traversers, he said he never gave information to the government of what he now deposed to. This was his first public disclosure of them. No deadly weapons were ever proposed to be brought to the theatre—that is, fire arms; never heard any directions given to assault or insult any body; never remonstrated with any one against going to the theatre; recollects perfect-

ly well, that Fletcher did make use of the lord lieutenant's name, as well as the lord mayor's, and in the presence of Forbes, when raising the subscription; first saw the whistle with Forbes at the lodge in Ship-street; witness had gotten one also, but did not buy it, as there were several handed about in Ship-street. Forbes was certainly very warm, and somewhat tipsy, when he came to Flanagan's: recollects he gave toasts after supper, viz.—"The King," "The Glorious Memory," "The Protestant Ascendancy." They separated at half-past one in the morning. There were strangers in the room, whom none of them knew. Did not hear any intention mentioned of throwing a missile at any body; did not hear Forbes give any such direction.

John Atkinson examined.—Had a meeting with some persons prior to the evening of his excellency's going to the theatre; the subject of conversation was his excellency's intended visit; heard it mentioned more than once; the first meeting was at the Shakespeare Tavern; it was mentioned there, that there ought to be some plan adopted to send some people to the theatre on the night of his going there, for the purpose of rendering lord Wellesley unpopular, that it might cause his removal. It was mentioned, that they might cause him to leave the theatre, and ultimately the country. Witness received money from the persons present at the Shakespeare Tavern. The money was to purchase tickets to send persons to the upper gallery; it was not necessary to send people to any other part of the house, as there would be plenty to go there at their own expense. Saw some of them again in the evening at Wer-

burgh-street, at Peter Daly's; Stoker, Heron, and H. Handwitch were there; also Fletcher and a brother of Stoker; Handwitch was asked to get some people to go, and he undertook to do it. The witness proceeded to detail the arrangements made for placing the people in the theatre, as already mentioned by his brother George, on the previous day; he stated the preparation of the sticks, whistles, the rattle, spirits, and porter, and drinking it before going to the theatre, the purchase of the tickets, &c. Forbes, M'Culloch, with witness and his brother, went with the men to the upper gallery, and then to the boxes; whistles were distributed at Daly's in Ship-street; witness held the stock-purse, and purchased those things; The witness proceeded to state the conversation in Flanagan's hotel, in Essex-street, where Forbes, Wm. Graham, Brownlow, and others attended.

This witness was cross-examined at considerable length, to show, that he was now swearing against the traversers, with a view to prevent his being removed from a place of 90*l.* a year in the excise. Witness is deputy master of an orange lodge, and his brother is secretary. Forbes and he were intimate; they bought the whistles together; he admits he took no pains to prevent persons going to the theatre, but on the contrary joined in it; he did not then see the evil tendency of their conduct, and believes that others were equally innocent; he endeavoured to prevent them carrying their sticks with them; witness has been an Orangeman since 1818; knows the principles of the society; their declarations and loyal professions, which were read by counsel, were

authenticated by witness, who stated he took an oath to the same effect on entering the society, and also took the oath of allegiance, and yet never endeavoured to prevent this alleged conspiracy against the king's government. Witness saw nothing with Henry Handwitch but a stick; did not see him do any thing offensive during the whole night; is perfectly certain, that Forbes is as loyal to the king and his government as any person can be. No part of the agreement was to assault or insult lord Wellesley, or any body else.

John Lambert examined.—Was at the theatre on the night that lord Wellesley was there; before his excellency came in, placards were dispersed in some parts; William Graham, whom witness identified, was engaged in the pit in handing them about. There were hissing and groaning, when lord Wellesley came in; there were numbers of persons about Graham, and in communication with him: heard the words, "Look out, boys," from the galleries; also heard whistling from the galleries.

John Rooney examined.—Is a brewer; was in the middle gallery that night, near the boxes, and in front on the right hand; distinctly saw the upper gallery: there was hooting and shouting when lord Wellesley came in. This was kept up by a group of persons in the upper gallery. Observed a watchman's rattle in the hand of a person making much noise with it; some had sticks under their coats, with large heads on them. There were groans for the lord mayor, and groans for the house of Wellesley; claps for sheriff Thorpe, and for the Calf's Head. Saw something flash across his sight, over the foot

lights; it proved to be a bottle, which struck the drop scene, and made a dinge in it; and turned up a corner near lord Wellesley, about three or four feet from the side of the theatre next him; also saw a piece of timber thrown across, which rebounded from lord Wellesley's box to the stage.

John O'Flaherty examined.—Went to the theatre that night with a Mr. Burnside: saw sticks, and heard groans and hisses, and the words "Look out, look out, boys;" saw a bottle strike the curtain, within a third of the distance from lord Wellesley to the centre; it was a black quart bottle, and was thrown when "God save the king" was performing, between the play and farce; saw hand-bills showered from the upper gallery, from the lattice over lord Wellesley, and more from the opposite lattices; there was a general burst of indignation, when the bottle was thrown.

Giles O'Brian examined.—Was in the upper gallery that night; saw persons there with sticks striking them against the gallery, and hissing the lord mayor and lord Wellesley. Between the play and farce they were calling out for the band to play the "Protestant Boys," and "Boyne Water." Heard them call out, "Look out, boys!" They cried out against the b——y Papists, and b——y Popish lord lieutenant. When the words, "Look out, boys!" were used, a voice answered, "We are here." They had short sticks, about half a yard long; saw a person particularly active, not one of the traversers; saw something pass near the lattice, but could not discern what it was.

John Eston examined.—Was in the upper gallery, opposite lord

Wellesley; saw a person beating the gallery with a stick in the front, and calling out "No Popish lieutenant, no Popish Government;" identifies Matthew Handwitch as the person; they groaned at the lord lieutenant repeatedly; Matthew Handwitch was the most conspicuous; there must have been a hundred of those persons in the upper gallery; they had sticks with nobs on them; was much frightened and wished to retire. Heard some persons beaten; heard the words "Look out," which appeared to be a signal which they used repeatedly.

Christopher Moran examined.—Was in the upper gallery; saw a number of persons with sticks, heard them hiss and groan at the lord lieutenant; there was a large party together; the two Handwitches were particularly active, Matthew Handwitch was beating the front of the rails with a stick, and striving to interrupt the performance; heard him propose to groan at the lord lieutenant; heard them cry out "A groan for popish Wellesley!" and "No popish government!" One person had a rattle; they raised the sticks and brandished them over their heads; there were persons beat that night; saw Henry Handwitch behind him with a party who had one man down, and with their fists and sticks raised over him; observed also a fight to the left.

Cross-examined.—Did not see a bottle thrown; was examined before the police and the grand jury, but they only asked one or two questions—"Did you see the bottle thrown?" and "Did you see the stick thrown?" and when witness said "No," they said they had no occasion for him; when he was going to tell them what he saw,

they said that would do, and they showed him the door. Often before saw boxing in the upper gallery.

Michael Farrel examined.—Saw Henry Handwitch in the theatre; saw him after the last act of the play take a bottle in his hand and throw it from him; he was in front of witness, to his left; he threw it in a round way, moving his hand from right to left, it was directed to the left-hand side; saw it after, held up by one of the musicians; there were a number of persons together; they were very noisy with white sticks; saw Henry Handwitch in communication with them; they were calling names for lord Wellesley, and no Eastern tyrant. Witness kept his eyes on Henry Handwitch, till he reached the police-office; Handwitch did not stir, but was arrested in 10 or 15 minutes after. Witness was put out of the police-office, although he told them he had information to give. Witness is a jeweller.

Cross-examined.—If Handwitch had gone more to the centre, he could have made a better aim. Never saw the bottle, till it was in the man's hand in the act of throwing it.

Philip Ryan, examined.—Identified George Graham; saw him with a number of persons in the theatre that night sitting in the front seat of the upper gallery; he made much noise with a rattle; he made a great deal of noise with it, both during the play and at the conclusion of it. The rattle being broken, he could not then use it as such, but separated the two pieces, and struck them against the gallery, at the same time the lord lieutenant was groaned and hissed at; he stood up, looked

down into the middle-gallery; and then threw the piece of the rattle in the direction of the lord lieutenant: it seemed to strike the edge of the box in which his excellency was sitting. Witness was in the front seat of the middle-gallery, and saw him clearly. There were cries of "No popish government, a groan for marquis Wellesley;" they were then drinking out of a bottle, "the glorious Memory—the protestant ascendancy—the Boyne Water;"—this night the gallery is our own."

Dr. Macnamara resides in Ballinakill; was in the middle gallery that night; saw a good deal of disturbance; heard scurrilous words of the lord lieutenant and the lord mayor—"A groan for the knave of Clubs"—"No popish guard for the College green"—"A clap for lord O'Neil, lord Talbot, and alderman Darley;" heard a voice cry out, "Boys, mind your fire;" was made uneasy; looked to the upper gallery: saw a man raise his arm, and throw something from him; the view was a moment obstructed, but he traced its transit, and saw it taken up: it was a bottle; it was thrown from the left extremity of the upper gallery; he identifies Henry Handwitch as the person who threw it; never saw him since till this day, and knew him immediately.

Cross-examined.—Was convicted of an alleged pound-breaking, and sentenced to three months' imprisonment and 20*l.* fine. Does not expect to shorten the duration of his imprisonment by giving this evidence.

The points spoken to by these witnesses were proved by several others. The case for the prosecution was closed on the 3rd day of the trial. After the counsel for

the traversers had addressed the jury, they called the following witnesses:—Frederick French, esq., of Ballinaskill, Queen's county; Mr. John Pouden; Mr. Benjamin Smith; Mr. Charles Broad, of the Theatre-royal; lady Rossmore; and Mr. J. H. Brocas.

The Solicitor-general having closed his reply, at eleven o'clock on the morning of the 5th day of the trial (Friday, February 7),

The Lord Chief Justice immediately proceeded to charge the jury:—

"One of the traversers counsel had asserted it to be a right of persons to mark at a public theatre their pleasure or displeasure with a public character. This doctrine the Court unanimously disapproved of. The audience might, if they pleased, hoot the performance or the actor, who was dependant on their approbation or caprice; but not even in the case of an actor would they be permitted to commit a riot or assault: and if the insult or assault towards him was not the impulse of sudden feeling, but appeared to be the execution of a premeditated conspiracy—then it became highly criminal. The Chief Justice next recapitulated the several counts of the indictment, and proposed four questions, as calculated to aid them in the verdict to which they might agree—1st, whether the traversers were at the theatre on the 14th of December; 2nd, if there was evidence to inculcate the accused parties with being participators in the riot, and to what extent they were severally inculpated; 3rdly, whether the character of evidence was such as to induce the jury to believe, that that riot proceeded from the impulse of sudden feeling, or was the result of preconcerted plan; and 4thly,

whether the evidence brought home to the traversers the guilt of being implicated in such conspiracy if it did exist. His lordship then read to the jury the whole of the evidence during the three days of the trial, and concluded by a most eloquent appeal to them to disencumber the trial of every extraneous matter of prejudice and topic of irrelevant tendency.

Mr. Justice Jebb, Mr. Justice Burton, and Mr. Justice Vandaleur, expressed their entire concurrence with the law and observations which had fallen from the Chief Justice. The jury retired at 4 o'clock.

The judges remained on the bench until after 5 o'clock, waiting their return to court: but learning that delay was likely to occur, the judges retired, intimating that two of them would return at 9 to receive the verdict.

Judges Burton and Vandaleur arrived at 9, and ordered the jury to be summoned. The order was instantly obeyed; they appeared in court, and on being asked if they had determined as to the verdict, replied, that *they had not, and that they were not likely to agree*. The foreman then requested, that he and his brother jurors might be discharged. The judges refused to comply, and ordered the sheriff to take charge of the jury, to lock them up in their chamber, and to keep the key. The tipstaff of the court was sworn not to allow any communication with the jury, and to keep watch outside.

On Saturday morning at a quarter past ten, Mr. Justice Jebb came into the court, and being informed that the jury had not yet agreed on their verdict, ordered them to be called into the box.

The jury appeared very much

fatigued; when the learned judge asked them, did they disagree on any point of law?

The foreman turned round to consult his fellow-jurors; and, while in consultation,

Mr. Neil M'Kenny, a juror, addressed the Court, and said, they did not disagree on any point of law.

Mr. Justice Jebb.—Gentlemen, retire to your jury-room.

The jury again retired, and at half-past eleven,

Judge Jebb ordered the jury to be again called into court, and asked them, if they had yet agreed on their verdict?

The foreman replied, they had not.

They were again ordered to retire, and shortly after

The Attorney-general stated to the Court, that the proceedings, which had taken place in this court, would not prevent him from bringing the matter forward again next Term.

The Attorney-general then sat down, and the jury were again called, when

Judge Jebb put it to the attorney-general, whether, as he would be obliged to discharge the jury at 8 o'clock, it might not, as a matter of favour (as they were not likely to agree in their verdict), be well to discharge them now, to which suggestion,

The Attorney-general consented; but previous to the jury being dismissed, he thought it necessary to mention to them what he had already said to the Court, that the proceedings, that had already taken place, would not prevent him from bringing the matter forward again.

HOUSE OF LORDS.

Scotch Marriage.—Reid against Reid—otherwise Reid against Laing.—MAY 7.

In this case George Reid, esq. of Ratho-bank, near Edinburgh, was the appellant, and Mrs. Jean Reid, otherwise Laing, was the respondent; and the question was, whether the parties did or did not stand towards each other in the relation of husband and wife?

The judges in Scotland had unanimously decided this question in the affirmative.

The circumstances of the present case, as stated on the part of the respondent, were as follows:—Her father, Alexander Laing, was employed in country labour by the appellant, Mr. Reid. The respondent was reared in her father's house, and was distinguished by the notice of the appellant even when she was at school. She was born the 10th November, 1789, and about 1802 was engaged as a servant in the house of the appellant; and soon afterwards he began to talk to her of marriage.

Mr. Reid, it is alleged, was much under the influence of his mother, sisters, and other relations, and was therefore, extremely anxious to conceal his attachment to the respondent; but he constantly flattered himself and her, that he would one day come boldly forward and avow his engagements. He was more than 19 years older than herself; was in possession of a clear landed estate worth 50 or 60,000*l.*; and he had the address, the education, and manners of a gentleman, added to a prepossessing appearance. Notwithstanding all his caution, Mr. Reid was unable totally to conceal his attentions to her.

These attentions were noticed by his near relations; and the consequence was, that the respondent quitted Mr. Reid's house, and engaged herself as servant in the family of Mr. M'Knight, in the immediate neighbourhood; where she remained six months. During that time, Mr. Reid kept up his communication with her by many private meetings, and by letters. On leaving Mr. M'Knight's house, the respondent went to her father's, where she remained six months. During the whole of this period, the parties had frequent meetings. They also carried on secretly a written correspondence, but he was still unable to come to a determination to enter into a public marriage. He represented to her, that certain circumstances rendered this inconvenient; she resolved, therefore, to engage herself as a servant in Edinburgh, and she obtained a situation with Mrs. Watson, in Hope-street, Edinburgh. Mr. Reid's estate of Ratho-bank was at the distance of between 6 and 7 miles from Edinburgh.

When the period approached, at which the respondent was to remove to Edinburgh, the appellant expressed great anxiety to secure the respondent to himself by mutual written declarations of marriage. In one of his letters he furnished her with a copy of the declaration, which he intreated her to write.

The parties afterwards met, and exchanged mutual declarations of marriage *holograph*—that is, in their own hand-writing respectively. That which the appellant delivered to the respondent was thus expressed:—"I hereby engage to be a true, a faithful, a kind, and affectionate husband to you, on condition that you are the same to me; and

I further engage to show this to no person, and to make it known to nobody whatever, without your consent. (Signed) GEORGE REID." A holograph writing to the same effect was given to the appellant by the respondent. When the document now produced was delivered to the respondent, there was no date annexed to it. The respondent says, she desired Mr. Reid to date it; but he said it was unnecessary, and that she might date it herself, which was immediately done. Mr. Reid insisting they were married persons, requested that the marriage should be consummated; and accordingly it was alleged, that he had, on the 4th of November, conjugal intercourse with the respondent in a new house upon his property, which had not then been inhabited, although it was partly furnished.

The respondent, at Martinmas (11th of Nov.) 1808, entered into the service of Mrs. Watson, where she remained for one year and a half; during all that time Mr. Reid showed the utmost attention to her, calling every week he was in town, and writing to her often two or three times in the course of as many days.

The respondent, on Whitsunday 1810, (as the same reasons were stated by the appellant to exist for secrecy), went into the service of Mr. Carfrae in York-place, Edinburgh. Mr. Carfrae's family removed to Queensferry, a watering-place nine miles from Ratho-bank; and Mr. Reid came repeatedly to Queensferry, for the purpose of seeing the respondent, and they generally wrote to each other once a week. The respondent remained in this situation nine months; she left Mr. Carfrae's on account of the death of her father. While with

her mother, with whom she remained till Whit-sunday (15th of May) 1811, the parties saw each other daily. On leaving her mother's house, the respondent went to the service of Mrs. Kerr, of Woodburn, near Dalkeith, where she remained six months. During this period also the parties met several times, and they carried on a correspondence by letters as before.

The respondent, at Martinmas (11th November) 1811, went into the service of Mrs. Congalton, in Castle-street, Edinburgh, with whom she remained for two years. Mr. Reid came to the house frequently, and they saw each other almost every week.

At his request, she entered, at Martinmas, 1813, into the service of the family of Robert Gillies, esq., advocate, Edinburgh, where she at present is. The same intercourse, however, continued, after the respondent entered into the service of Mr. Gillies.

The multitude of private meetings between the parties (it was alleged), did not pass without those endearments which were sanctioned by their solemn engagements, and they occasionally passed whole nights together. The appellant frequently found his way, at late hours, to the apartments in which the respondent slept, and at times they met in woods in the country. At length the respondent was led to urge, that an end should be put to the mystery: several unsatisfactory meetings took place, at which he still wished to delay a public avowal of marriage; the consequence was, that a *declarator* of marriage was raised in the Consistorial court, at Edinburgh.

Against this action two defences were stated:—1st, that there was

no proof of a *consensus de presenti in matrimonium*, and that the correspondence and mutual declarations amounted only to a mere promise of marriage *de futuro*; and 2ndly, it was asserted, that although a promise of marriage had no doubt been made, yet that was insufficient, as it was said that there was no proof of *copula* or *concubitus* between the parties.

The respondent produced all Mr. Reid's letters that had been preserved by her, amounting in number to about 200.

Two witnesses were examined, and thereupon this interlocutor, or sentence, was unanimously pronounced by the commissioners—"The commissioners find the facts, &c. proved relevant to infer a marriage betwixt the pursuer and defender, and *find them husband and wife*."

A bill of advocacy (a sort of appeal) was hereupon presented by Mr. Reid to the court of session; and it was at length brought to a hearing before the court of the Second Division, the whole five judges of the inner-house being present. Four stated, that the case was attended with no sort of difficulty; that some argument might be made, whether the expressions amounted in strictness to a consent *de presenti*, or only to a promise of marriage; and that, if the question rested there, it might, perhaps, be proper to allow farther discussion; but that this was unnecessary, because, from the evidence, it was impossible to doubt the fact, that matrimonial intercourse had occurred between the parties; and therefore there was here proof of marriage, constituted by a promise of marriage, *copula subsequente*. One judge on this occasion stated, that he was

not convinced concerning the existence of matrimonial intercourse; but the matter being again brought before the Court (on petition) on the 9th of September following, the judge, who had formerly dissented from the opinion of his brethren, stated, that his own opinion was altered, and that he concurred with the rest of the court; and on the 20th November, 1819, the Court of Session unanimously confirmed the interlocutor of the commissary Court, and pronounced the judgment which was the subject of the present appeal.

On the part of Mr. Reid it was contended before the House of Lords, as it had been in the courts below, that neither party considered the documents exchanged between them as expressive of any thing more than a promise or intention to marry; and though Mr. Reid admitted, that at some of his private meetings with the respondent, he had taken some slight freedoms with her, he positively denied, that he had ever had any enjoyment of her person.

The Lord Chancellor was perfectly clear that the decision of the Consistory Court of Scotland, which had been confirmed by the court of Session, was right. His lordship then read extracts from the summons and from the letters, to show that the appellant, if he had no intention of cohabiting with the respondent, could have no object at all in all his warm attentions and professions towards her. Upon the whole of the case taken together, he should move their lordships, that the judgment be affirmed, and that this man's wife should have her full costs, so far as the standing orders of the house would allow.

The House decided accordingly.

HIGH COURT OF ADMIRALTY.

The Dundee.—JAN. 28.

In this case an objection was taken to the report of the Registrar and merchants, upon a reference directed by the Court, in respect of the loss and damages sustained by the owners of the *Princess Charlotte*, a vessel, that, upon entering the river, as she was coming from South Shields, was run foul of by the *Dundee*, Greenland whaler, and sunk. Bail was given to answer an action that had been entered in the sum of 9,000*l.* against the latter, "ship, tackle, apparel, and furniture", in the usual form: but in the undertaking that was given to lead that bail (it being of importance to the owners of the *Dundee* to have her released, so that she might proceed on her fishing voyage), the word "appurtenances" was added to the usual formula of "tackle, apparel, and furniture;" and the Registrar and merchants considered themselves in consequence bound to include the fishing stores, which at the time of the accident were on board the *Dundee*. The value of these was very considerable; and the owners, under the act 53 Geo. III., which limits the responsibility of ship-owners in like cases, objected to this part of the report.

Lord Stowell, in giving judgment, stated the origin and nature of the suit. The accident did not appear to have arisen out of any wilful design, nor, indeed, any purpose of injury on the part of the *Dundee*, but rather out of a want of that diligence and attention, which are due to the security of other vessels navigating on the seas. The question of reparation in such a case, was differently measured in the maritime

laws of different countries; and had been differently measured by our own maritime law at different periods. In England, the ancient maritime law exacted full compensation out of all the property of the owners on board the aggressing ship, on the common legal principle, that persons undertaking for the conveyance of goods, are liable for the conduct of the servants whom they employ, to the parties who may suffer loss or damage through their neglect. It could hardly be denied, that the term "compensation" would be very improperly applied to any thing which should fall short of a full and fair reparation for the injury done. Holland, however, first instituted a law for the protection of her own navigation, and with the view of engaging her subjects to enter into these commercial voyages, by providing that owners of vessels, which should unintentionally occasion damage to others of the same nation, should not be liable beyond the value of their ships, with their freight, tackle, apparel, and furniture. Then England followed her example by passing statutes which protected her ship-owners from responsibility beyond the amount of the same interests; first, in the case of embazement of the cargo, committed by the crews of such vessels; and, subsequently, in the case of embazement committed by other persons. The statute of the 53rd, George III., afforded the same protection in the case of losses otherwise sustained. The first clause of that statute, which immediately bore upon the present question, was the enacting clause; it subjected the ship, then the freight (the freight already earned, as well as the freight that might be con-

VOL. LXV.

tracted for), and then her tackle, apparel, and furniture, to this liability. These were the only subjects which the enacting clause directly, and in terms, operated upon: but almost all of the following clauses, and particularly the 7th and 8th, did introduce the word "appurtenances." The word repeatedly occurred in subsequent parts of the statute: and the 7th clause expressly provided, "that where the suit is brought on account of damage done, a valuation shall be first duly made of the ship and 'appurtenances'." The same term in other passages of the statute appeared to be, if the court might so express itself, a sort of shorthand way of describing what might properly be considered as "appurtenances" of the ship. It was not to be supposed, that the foregoing clauses had introduced a word merely inoperative, or intended to have no meaning at all. Now it could have no effective meaning, unless it were considered to be virtually incorporated into the first clause. If not so incorporated, then the enacting clause was in contradiction to the subsequent clauses, in which it was mentioned. The "appurtenances" of a ship could not be considered as intending her cargo; for cargo was that which was meant to be disposed of at some foreign port, either for money or money's worth. The connexion of the cargo with the ship was merely transitory, and bore a distinct character of its own. On the present occasion, these were appurtenances evidently necessary and essential to the ship in the performance of the functions that she was destined to discharge; and herein essentially different from cargo, although they were not constituent parts of the

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ship: for if constituent parts, then they were not appurtenances; it being the very definition of "appurtenances," that they were things "belonging to" another thing, not forming part of it. Yet, if they were so essentially necessary to a ship, as that she could not without them perform her functions, they might under a loose definition of the word "ship" be included, being those matters which were as essential to that ship as any part of its machinery. In the present instance, the appurtenances consisted of fishing stores; and these had been valued, by the merchants at Lloyd's, at 2,236*l.*, the ship being valued at 2,658*l.* The owners of the ship contended, that the fishing stores were exempted from all liability to contribute, first, by reason of the way in which this suit had commenced—by the arrest of the vessel, her tackle, apparel, and furniture, without mention of her fishing stores; and secondly, because fishing stores could not be considered as "furniture," inasmuch as it had been determined, in a case tried in a common law Court, that they were not to be so accounted. It was held by lord Mansfield, that the question, as to whether fishing stores were covered by the policy of insurance on a South Sea whaler, including, as usual, her boats, tackle, &c. must depend on the usage of the trade. On the first trial, a jury found that fishing stores were part of the furniture; but very contradictory evidence having been adduced, the case went to another jury; the former verdict was reversed, and they found that, in truth, the usage lay on the other side. His lordship then observed, that he was not aware, whether this rule, although it had been

considered on the highest authority applicable to the case of a policy of insurance, was of sufficient weight to govern the construction of the same word in an act of Parliament, or in the phraseology of a court, where that construction was rather, perhaps, to be collected from the original and genuine meaning of the word, than from any particular or limited usage controlling that meaning. It was admitted, that the mode, which had been adopted in the present instance, was the ancient formulary for instituting a suit in this Court, that suit leading to a full restitution of the property belonging to the aggrieved owner. The statute of the last reign had certainly imposed a very express restriction upon the responsibility of the other parties; but this Court could not carry that restriction any farther than the language of the act would warrant it in doing. Complaint had been made, that the word "appurtenances" had slipped into the undertaking for the bail; but that could not have happened without the parties being aware of it, inasmuch as it was a formal, a regular, and a statutable word: and the Court surmised, that, at the time of giving the undertaking, both parties must have been aware of its introduction, and have concurred in the intention that it should include the stores in question, the reservation being only for the Court's opinion as to their liability. The Court was now of opinion, that the word "appurtenances" was no intruder; and on the question as to whether the fishing stores would be included in it, the Court held that they would.

The Court therefore confirmed the report.

COURT OF COMMON PLACES,
DUBLIN.*Cuthbert v. Browne.*

This was an action on the case for deceit. The declaration stated, that, the plaintiff being unmarried, the defendant, on the 20th of March, 1820, intending to deceive him, did represent Hannah Darling to him as being a chaste, virtuous, and well-conducted maiden; that, in consequence of such representation, the plaintiff, on the 20th of April, 1820, married the said Hannah Darling; that the defendant then knew, that the said Hannah Darling was not a chaste, virtuous, and well-conducted maiden, but, on the contrary, had been debauched and defiled by himself; and that in six months and three days, after the marriage, she was delivered of a child. There was another count, which stated, that the defendant encouraged the plaintiff to marry the said Hannah Darling, and represented her to him as being a chaste, virtuous, and well-conducted maiden; whereas she was not chaste, virtuous, or well-conducted, but, on the contrary, had been debauched and defiled. The damages were laid at 2,000*l*.

Mr. O'Connell stated the case on the part of the plaintiff. The parties, said he, are brothers-in-law; the wife of the plaintiff is the sister-in-law of the defendant. The defendant has eight or ten children by the one sister, and at least one by the other; he holds a lucrative employment on the coast of Wicklow, and, by the seizure of smuggled tobacco, has realized something considerable. The plaintiff is a farmer, and lives at Bray, in the county of Wicklow; Archibald Browne, a brother of the defendant, had married a sister of the

plaintiff's in the year 1816, and thus an intimacy commenced between the parties. The plaintiff, in consequence, became acquainted with Hannah Darling; the defendant's wife's sister. Her mother, who had married a Mr. Darlington, gave encouragement to the addresses of the plaintiff to her daughter, and in the year 1817 every thing was arranged for their marriage. At that period, however, the defendant caused the marriage to be broken off. This produced a coolness between them, which continued for two or three years, until 1820, when the defendant appeared to be anxious for the marriage to take place. He met the plaintiff one evening in the town of Bray, and addressing him abruptly, said, "Your sister is married to my brother; why will you not give me your hand? You think it was I that broke off your marriage, but you are mistaken; I am your friend; she is at my house, and a better girl never breathed; give me your hand—come home with me and you shall see her." The plaintiff, trusting in the sincerity of this language, gave the defendant his hand, and went home with him; he, however, did not see her on this occasion, as the defendant said that he recollected she was then in Dublin, but would be there in a day or two. He represented to him, that there was a romantic cottage, which belonged to Mrs. Darlington, and which would just suit him (the plaintiff) and Hannah. The defendant added, that he had made such seizures of tobacco, that he was about to add two men to his barge, and that he would appoint the plaintiff as one, with a salary of 40*l*. a year, and allow him 1-6th of all future seizures. Hannah

appeared afterwards; she told the plaintiff, that it was Archibald Browne who had broken off the marriage, and not John. Every thing was now settled for the marriage, which accordingly took place.

William Cuthbert. — Witness knows the defendant in this action; knows the young lady; the defendant's wife and witness's brother's wife are sisters; recollects the marriage of his brother with Hannah Darling; a child was born in six months after the marriage; saw the defendant after the birth of that child; he said to witness, "Oh! William, is not this a horrid thing that has befallen me? I would not wonder if hell and destruction would open and swallow me up." Witness told him to pray to God to keep him from temptation; the defendant said, that he could not go to church or receive the sacrament, since he had committed the facts; the defendant said, that he would give fifty pounds a piece to two doctors, to make the child come in under age, and that he would then easily settle it with the plaintiff; he said, the plaintiff's wife *were* a defraud on him, and that he (the defendant) would take her home; witness said, "How can you take another man's wife?" He replied that he would bring her home, and let his wife do as well as she could with her; he also said, that he was sorry the law of the land would not allow him to live with both sisters; defendant told witness, that, if he would interfere to settle the business, he would give six or seven government debentures to plaintiff and witness; witness said, that he would not interfere; it was too serious a business for him to enter into; the defendant holds a situa-

tion under the government, in the revenue; he is coast-officer at Bray; he appears to live in a very comfortable manner.

Here the case closed on the part of the plaintiff.

Mr. Wallace then addressed the jury for the defendant.

The jury found a verdict for the plaintiff—800*l.* damages.

AYLESBURY.

Murder.—MARCH 4.

Thomas Randall and James Croker, being arraigned for the murder of Mr. and Mrs. Needle, Randall pleaded Not Guilty, but Croker pleaded Guilty. His lordship endeavoured to persuade the latter to withdraw that plea: but the question being again put, the same plea was persisted in, and recorded by the Court.

Charles Whitehall stated that he passed through the Weston turnpike-gate, between 9 and 10 o'clock on Tuesday night, November 19th; saw Edward Needle, who was then alive, and apparently well.

James Wyatt, a coachman, on Wednesday morning the 20th of November, drove up to the Weston gate at a quarter past six. In consequence of some information being given to him by a youth, who stood at the door of the toll-house, he got down and went in; the door opened into the sitting-room; on going into another room to the left hand, he saw Mrs. Needle lying on her back, with her clothes on; her feet lay towards the door, and her head towards the bed; her husband was in bed with a sheet thrown over him; his arm was raised, and he grasped the sheet in his

hand; both were dead, quite cold and stiff.

Mr. W. Hayward, surgeon of Aylesbury, examined the bodies: Needle lay on his left side in bed, undressed: he found a fracture on the right side of the skull, and a wound over his right eye, about one inch in length, and half an inch in depth; the right ear was much lacerated and torn, apparently by hard blows; there was a lacerated wound on the back of the left hand, which was raised over the right eye, as if to protect the head from blows. The instrument, with which it was done, must have been flat or blunt.

Joseph Hill, went to the toll-house about a quarter past seven o'clock. On entering, he saw a bludgeon lying about the middle of the house: on searching, he found another underneath the bed, which was covered with blood. It appeared almost broken in the middle, doubtless by the blows it had struck—the blood on it was wet and quite fresh.

Mary Todd deposed, that she keeps a lodging-house on Walton-green, Aylesbury. The prisoner had lodged at her house, and he brought his wife with him on the Saturday preceding the murder being committed. After having refreshed himself, he went away, and did not return till the following morning: his wife slept at her house during the night. Prisoner returned next morning, and stayed all day at her house. Croker came there in the afternoon of Sunday; all three slept at her house on Sunday night. Having breakfasted on Monday morning, Randall and Croker said they would take a walk; returned at half-past four in the afternoon; they had their supper and went to bed; saw

them all next morning (Tuesday); they left it about nine o'clock, and she had not seen them from that time to this. The toll-house is about two miles from Walton-green.

Charles Finch stated, that he was at work on the turnpike-road between Aylesbury and Aston Clinton, on Monday, the 18th of November. Elisha Thorn was also at work near him, on the same day. About a quarter of a mile on the Aylesbury side of Weston gate, saw the two prisoners pass about half-past ten in the morning of that day; he saw them again between four and five o'clock the same day, on the Aston side of the gate, on their way for Tring; was at work next morning (Tuesday) on the road; the two prisoners passed him near Aston, in company with a woman: Randall wore a light drab cloth coat, and worsted cord breeches; had on a pair of laced-up shoes, and carried a bundle under his arm; saw them when in custody; Randall had changed his coat, and had it thrown over his shoulders.

Elisha Thorn was at work on the road at the time stated by last witness; saw the prisoners pass at the times stated by him; saw them pass on the road about a month before the murder; saw them pass about a fortnight before the murder, and was sure the prisoners were the same men; saw them pass the toll-house again on the Monday previous to the murder; they were together every time; saw them on one occasion turn into a field leading to the back of the toll-house; he and last witness made observations about the prisoners at the time to each other.

Francis Cooke keeps a lodging-house at Berkhamstead; Randall

and a female came to his house on the Tuesday preceding the murder, and inquired for a bed; this was about half-past two o'clock; they had tea, after which Randall asked him what the bed would be, and said he would pay him for it, though he should not sleep there; he then went away, and said he must go meet his partner, whom he had left lame on the road, the female remained there. Next morning, about seven o'clock, Randall came in; the woman had just come down stairs: he asked her if she was ready, for Jem, his brother-in-law (meaning Croker), was gone on to Huntonbridge; they would follow him, and breakfast on the road.

Mary Tomkins, the landlady of the Green Man public-house at Tring, recollected that on Tuesday the 19th of November, Croker came to her house between 10 and 11 o'clock, and asked her for half a pint of beer; soon after Randall and the female came in. After refreshing themselves, Randall and the female went away; Randall said, he should leave Croker till he returned. He came back by himself about five o'clock, joined Croker, and stayed at her house, until half-past eight in the evening; they had bread and cheese, and one of them said, "it is a quarter past; half-past eight is our time, and that will be soon enough."

Thomas Monk saw the prisoners leave the Green Man, at Tring, on Tuesday night, about half-past eight, and proceed on the road to Aylesbury; one of them walked rather lame.

T. Wyatt saw the two prisoners on Wednesday morning, the 20th of November, about two o'clock, walking very fast, about a quarter

of a mile from Tring, going towards Berkhamstead; Randall was first, and Croker was a short distance behind walking lame, and appeared fatigued. Randall carried a bundle.

William Martin went in company with Mr. Clark, both constables of Tring, to Berkhamstead, in pursuit of the prisoners, on the alarm of murder being spread; got information, and followed them to Gaddesdon; took Randall in custody at the Bridgewater Arms, and found on his person, some silver and half-pence, a piece of candle, matches, large clasp-knife, &c. he had two bundles in his possession, also a pair of shoes. His coat and handkerchief were bloody in several places; the marks had been defaced, but they appeared at that time very plain. [The coat and handkerchief were produced and examined by the Jury; the stains of blood were still very evident.]

Rev. Mr. Horseman examined Randall the day he was apprehended, when he made a statement (produced and read), and, on the following day being re-examined, he made another, contradicting the first, and said he was an innocent man; that he had worked at Leicester as a shoemaker, and was then tramping the country for work; and that he had never seen Croker till that day, when he met him at a canal bridge between Gaddesdon and Berkhamstead.

Martha Barnace (the prisoner's companion) deposed, that she was travelling the country in November last, with cottons and laces for sale; she belonged to Cublington, in Warwickshire; is a single woman. First saw the prisoners at Foster's Booth, near Towcester, Northamptonshire. Randall asked

her, if she would travel with him, and when he got to London; he would marry her. The following morning, they journeyed to Buckingham, and she slept at that place with Randall; Croker was with them; the next day they proceeded to Aylesbury; but Croker stayed at a public-house between the two last-mentioned towns. Randall took her to Todd's lodging-house, when he left her there, saying he must go and seek his partner; he did not return to the lodging-house till next morning (Sunday); Croker and Randall then came together; stayed all day, and slept there at night. On Monday morning, Croker said he was going to Oxford; witness begged of Randall not to go with him, for she did not like his ways; they went to the door and conversed secretly. Randall said, he was going to Tring to sell a great coat; they returned together about five o'clock, with some pork steaks; Randall showed her four gowns, and said he had found them between Tring and Aylesbury; all slept at Todd's that night. Randall slept with witness, and told her he knew of a girl who had a hundred pounds, who was in love with him, and wanted to run away with him—she had packed up her clothes, and all was ready; witness said, why did you not bring her with you? Randall said, he did not love her, but he knew the house, and he and Jem would try if they could not get the money without her; witness begged of him not to go, but he persisted in it. Croker went by the name of James. Next morning (Tuesday), they all set out for Berkhamstead; on the road between Aylesbury and Tring, Croker sat down and smoked his pipe; Randall went

over a hedge and fetched a bundle of leather, which had been hidden there. They then went to the Green Man, at Tring; Croker went first, and witness and Randall followed. They had some refreshment, and left Croker there, while Randall went on with her to Berkhamstead; he took her to Cooke's lodging-house, and went away; came to her again next morning, and was very wet; witness asked him to have breakfast; he said "No, James is at the canal bridge, and we will all breakfast together on the way;" she again pressed him to stay to breakfast, but he would not; witness got her things ready and went with him; when she found they were not going direct for London, she asked the reason, and was told by Randall they could not, for they had bundles concealed near Berkhamstead, which they intended to fetch at night; she then asked him "if they had gotten the hundred pounds?" He said "No, we have had a very bad night of it; but we have enough to take us to London." They met Croker on the canal bridge, near Mill-house; they then went on together to lord Bridgewater's lodge; they stayed there a short time under the shed; sat down and had some bread and butter; Croker produced a pair of shoes, and told Randall to put them on, as his were bad—they would fit him; Randall did not put them on there. They proceeded on to Gaddesdon. Witness had not conversed much with Croker; she saw the shoes on the form at the inn at Gaddesdon. [The articles found on the prisoners were produced.]

William Woods identified the shoes; said, he knew Edward Needle for upwards of twenty

years; had compared nails, found in Needle's house with those in his shoes; they corresponded. He also identified a pair of gloves, by the one for the right hand, being very much worn with the stick which Needle always carried when walking. A pistol he positively swore to, as he had taken a piece off the end of the barrel for him with a file; the marks of the file were still upon it. Several articles of wearing apparel were also positively sworn to by the witness.

The Jury immediately returned a verdict of Guilty.

The JUDGE then passed sentence of death upon them.

COURT OF KING'S BENCH,
GUILDHALL.

Shaw v. Williams.—JUNE 20.

This action was brought to recover damages for the seduction of the plaintiff's daughter. The damages were laid at 500*l*.

Mr. C. Phillips stated the case. The plaintiff resided near Greenwich; he was a man who had retired from the bustle of life, to live on the little savings of his industry, and on the rents of a few houses belonging to himself or to his children. The defendant was the son of an opulent gentleman in the neighbourhood, who carried on extensive business as a tanner, and kept his carriage. In early life, the plaintiff's daughter and the defendant were sent to the same school, where they became acquainted; but the disparity of their situations suspended their intercourse until 1818. At this time she carried on the trade of a dressmaker, and applied her earnings to the support of her parents. In the August of 1818, the defendant met her; he

watched her steps; at first she repelled him with anger; but he continued for 16 months to persecute her with importunities, till at length, overcome by hollow vows and perfidious promises, she was brought to shame and degradation. The intercourse continued; in 1820, its consequences became visible, and, in the November of that year she was delivered of a child. Her parents saw, at once, that it was ridiculous to look for the fulfilment of the offer which had led her astray; and they wrote a letter to the father of the defendant claiming remuneration, but received no answer. What course did the defendant then pursue? he practised on the weakness of his victim to allow a renewal of the intercourse: but this artifice should not avail him. He could not plead as his excuse the depravity he had created; and he would do nothing, unless he could show that there was any taint on her character, until he himself blasted it. His family, however, were active in their efforts to defame her; they accused her of being a common prostitute; on which she said, "If you doubt me, I will give you the most sacred pledge which one human being can give another. I will attest my truth before Heaven—I will solemnly swear that the child is yours before a magistrate." She did so, not with the desire of obtaining parochial assistance, for she would never receive a shilling of the sum which her seducer was compelled to deposit, but with the hope of convincing him that she had been criminal only for his sake. Perhaps it might be contended that she was unworthy, because she had allowed a renewal of the intercourse; but the question was,

not what she was worth now; if she were the outcast of the earth, the refuse of a brothel and a camp, the right of the father to damages would be only heightened with her shame and misery. She was now not of a shilling value—she was worse than valueless—but this constituted the very claim of a heart-broken parent, mourning over the ruin of his child. He (Mr. Phillips) asked the jury to give—not present value, but what she was worth, when the blessedness of innocence was in her heart, and its blush on her cheek—when she was the joy that sweetened her parent's care, and the light that gilded their declining days. Many of the jury had, no doubt, daughters, whom they had nursed in infancy—whom they had grieved for in sickness—whom they had rejoiced over in health—over the vicissitudes of whose infancy they had watched with painful pleasure—who were the day light of their eyes, and the blessings of their hearts, and such he hoped they would continue. What damages would they think sufficient to repay them, if, like the plaintiff, they found the blossom of their hopes, the fair flower they had tended, trampled on by the accursed hoof of ruffian sensuality, and soiled and blasted for ever?

Jane Shaw, the daughter of the plaintiff, was then called, and appeared, showily dressed, in the witness box. She was examined by Mr. Patteson, and told her story with very little embarrassment in the following terms:—I am the daughter of the plaintiff, who resides at Greenwich; the family consists of my father, my mother, and myself. I went to school with the defendant. After I left school, I saw the defendant, whose father

lives in my neighbourhood, follows the business of a tanner, and keeps a carriage. I was bound to a dress-maker, and, in 1818, lived with my father, who is a carpenter. At that time I was 17 years of age. I was in the habit of going out with dresses. In the beginning of August, 1818, I renewed my acquaintance with the defendant, who was a few months older than myself. As I was going to Mr. Ledger's with some work, he met me, and asked me, where I was going; I told him, and he begged to escort me, but I replied, I wanted none of his company. I left him, and went in. After remaining 20 minutes or half an hour, I came out, and found him waiting. He followed me, and asked me "whether I was engaged?" I told him, I did not know what he meant; he asked if I kept company with any one; I told him, I did not understand his meaning. He asked, if he should see me the next evening; I told him, I did not desire to make any appointment, and wished him good evening. A few evenings after, I saw him again, as I was going to the same place. He again proposed to walk with me, but I told him, I did not wish to have him following me. He asked me, if I would take a walk; I said no, I was going about my business, and wished him to go about his. He repeated his question about keeping company; I told him, I did not know what he meant; I was too young. About January or February, 1819, I yielded to his wishes. In the mean time I saw him often: he told me he was possessed of 19,000*l.* in his own right, and repeated the assertion several times. He told me, he would marry me when he came of age.

Mr. Brougham objected to any

evidence of a promise of marriage, which might be the ground of a distinct action.

Mr. Justice Best thought the evidence might be admitted, and

Mr. Brougham said, his friend was welcome to ask what he pleased on the subject.

The witness proceeded.—About January, 1819, the defendant, who was on horseback, met me in the lime-kilns by accident, and asked me to take a walk with him. He begged me to walk with him; I refused; he said, he had something to say to me; got off his horse, and made me take his arm. We walked to Lee-grove; he asked me to agree to his wishes, and swore he wished that he might never enter the kingdom of heaven, if he would leave me. He offered to give this oath in writing; I said I would trust to his honour, and the connexion took place. This intimacy continued, and in November, 1820, I was delivered of a son.

On cross-examination by Mr. Brougham, the witness said—My father is still a carpenter, and works himself. He kept a public house called the Rose and Crown, about nine years ago. He went on board a ship, as seaman and carpenter, about 6 years ago. A week after his first voyage, nine years ago, he gave up the Rose and Crown, being made a bankrupt. I am in a small way of business. My shop is in Greenwich-road, where my father and mother live. I have seen and conversed with one of the counsel in the cause, and talked the matter over with him. When the defendant dismounted, he held the reins in his hand. He walked about with the horse and me. No one held the horse all this time. I cannot say, if there

was any snow on the ground, or whether it was wet or dry, I have been to several different places with him on other days. That night I do not know whether I was in the middle of the road or pathway, or where. It was in Lee-grove, through which the road passes to the church. The next time I met him, his horse was with him. I dare say the path was wide enough to admit him. The horse was always with us, and his bridle on the defendant's arm. I don't recollect, that he ever asked me to ride. He several times told me, he would marry me when he came of age. I thought it a great promotion—but did not tell it to my father or mother. I did not believe him.

Mr. Brougham addressed the jury for the defendant. His learned friend, towards the conclusion of his brilliant address, requested them to forget every word he had uttered—a request that was usually made with the expectation that it would be refused—and which, as usually, the opposite counsel would gladly know was accepted. But, on this occasion, the converse was true on both sides. He verily believed Mr. Phillips was perfectly sincere—that he would gladly think that not one vestige of his eloquent speech remained on their memories; while he (Mr. Brougham) entreated, for the sake of the justice of the cause, if not for their own merriment, that they would remember every figure and fancy by which his learned friend had attempted to decorate this extraordinary low cause; for never would they find a more amusing contrast than between the statement and the proof, the flowers and the facts, than on that comparison in which he begged them to

indulge. What now had become of the retired tradesman, spending in quiet the evening of his days; in whose place appeared a labouring man, who had been a seaman and a carpenter, and still worked at that unsentimental trade? In no province of the divine art of eloquence was the skill of the orator more shown—in none was the skill of the eminent orator, whom they had heard, more evinced—than in the selection of topics, which should be pressed on the attention of the hearers; and accordingly he left out the seaman (though that might have furnished some materials in the hands of a skilful artist),—he left out the Rose and Crown, though, being a flower, the rose might have bloomed in his periods—he left out the Duke of York public-house, and left it to be proved, that his client and his wife kept a gin-shop, where they drew by day and snored by night, while they left the “sweet blossom of their hopes,” “the daylight of their eyes,” “the joy of their hearts,” to sleep in a house far from them, where there were none but children. What would men who knew the world—who had travelled on the broad highway of life,—hardly, indeed, more beaten than the road to Leachurch, where the fair seducer was taken—say to the story of this flower of the creation, after the flashy speech in which she had been painted to their notice? Here was a father, who allowed his daughter to go through her pregnancy; and such was his watchful care, that his suspicions were only awakened by the cry of her child! Mr. Phillips had appealed to them as husbands and fathers; would they as fathers have acted thus carelessly? If, when one of them

retired to solace himself from the cares of the world, and called for his bottle and pipe, he should hear the cry of a child, and be told that his daughter was become a mother, what, said Mr. Phillips, would he say? He would tell them: he would exclaim—“What an excessive ass have I been to go on for months, and never ask a question on altered appearance—never even say, ‘My dear, what’s the matter?’—never discover the evil till the fair flower, which has blossomed so long, produces fruit in due season.” What was the former character of this “fair victim?” She pretended that she was so innocent as not to know what “keeping company” meant—a phrase, which even an earl’s daughter might learn from her maid, and which the flower of Greenwich must have heard a thousand times; and yet she, who was pure even in heart—who did not even know what evil meant—who preserved an infantile purity in the years of womanhood—gave up her priceless virtue on being asked for it—not in some sequestered spot sacred to nymphs and Naiads, the creatures of a more ethereal world which we read of in the poets and Mr. Phillips’s speeches, but in the plain highway! From this highway it was impossible to remove her: there did they meet—the faithful horse held on one arm of the seducer, and the “tender flower” hanging with all her tendrils on the other. Was not this the conduct of one of the most abandoned of her sex? Could any believe, that up to this moment she was innocent even in deed? Oh! but (said Mr. Phillips) she could prove her truth—“she could give the defendant the most solemn pledge one human being could give another;” and when

they expected some awful abjuration—that she would take the horns of some storied altar, or produce a bible to swear on—it turned out, that this fine and mystic allusion meant only that she went and swore the child to the defendant before a justice. In the decline of ancient eloquence, when occasions for display were rare, it was the practice of the Roman orators to spin out subtle disputations on the vilest animal substance; and it was reported that thus a very splendid harangue was indited on the subject of *dirt*. Thus had Mr. Phillips—not in the decline of eloquence, for his speech proved it to be flourishing, but in the absence of a fit subject for his powers—taken the course once pursued by less able speakers, and garnished out with the ornaments of rhetoric this most dirty cause. He again asked them to compare that address with the evidence—to think on the conduct of this girl, and of the parents, who had waited for three years before they commenced proceedings; and he was assured, they would either find a verdict for the defendant, or, if they thought they must give the plaintiff something, would tender him the lowest and basest coin—symbol of worthlessness and impudence—as the reward of this most frivolous and brazen-faced action.

Mr. Justice Best commented on the conduct of the plaintiff's daughter, and told the jury, that, if they believed she was as ready as the defendant, and had shown an entire want of delicacy and feeling, they should give only the smallest damages.

The jury, after consulting for some time, asked what damages would carry costs?

Mr. Justice Best informed them,

that any damages would carry costs in this form of action.

The jury found a verdict for the plaintiff—Damages 40s.

CROYDON.

Murder.—JULY 25.

Phillip Stoffel and *Charles Keppel*, were indicted for the murder of Mrs. Richards, at Clapham.

Jane Bell, deposed as follows:—I lived with the late Mrs. Richards: on Tuesday, the 8th of April, I went out about a quarter before 7 o'clock, and left Mrs. Richards at home; I returned between 9 and 10; I did not see her that night; I saw her however, the next day; Mrs. Richards was 74 years of age; I knew her watch from often seeing it; it usually hung by the side of the fire-place; Mrs. Richards and I were the only persons who inhabited the house.

Sophia Jones.—I am a dress-maker at Clapham; I was a neighbour of the late Mrs. Richards, to whom I went every Tuesday to read the newspaper. On Tuesday, the 8th of April, I went to her house a little after 8 o'clock; I knocked at her door; nobody came to answer; I then looked through the key-hole, but it was quite dark, and I could see nothing; I stayed a minute longer, and was just going away, when the door became open a little; I then said, "Mrs. Richards, it's I." Getting no answer, I went into the front room in which she usually sat; I called out again, "Mrs. Richards! Mrs. Richards!" and then I saw her laid down all her length. Not receiving an answer, I went out to fetch Mrs. Stratton, who lived three doors off; I was rather frightened; I found her, and went back

to the house with her; we saw a poker under the window on the outside of the house; we then went to her neighbours, Mr. Miller and Mr. Glazier; we entered the parlour all together: as soon as I saw the body lying, I went out frightened: I recollect her watch hanging up constantly in her parlour.

Charles Millar.—Mrs. Richards came to my house, and stayed about half an hour, on Tuesday, the 8th of April, between seven and eight o'clock; she went by a back way from my house to her own; some time after Mrs. Richards had gone, Miss Jones called on me, and, in consequence of what she said, I went to Mrs. Richards's house; I entered, and saw Mrs. Richards lying on her back on the floor; there was a cloth in her mouth, which was taken out by Mrs. Stratton; it appeared to have been twisted together, and forced into her mouth; there was a mark of blood upon it; Mrs. Richards was then dead; it could not have been so placed into her mouth without force.

Joseph Rippon.—I am a surgeon at Clapham. On Tuesday, the 8th of April, I was at half-past 8 o'clock in the house of Mrs. Richards. I found her quite dead, and without any sensation. There was no pulsation of the heart, no contraction of the pupil of the eyes, and her arms were moist and cold. I did not discover any marks upon her person, till Mrs. Stratton spoke to me. Mrs. Stratton said, "This apron I pulled out of her mouth." I looked at it, and saw a great deal of saliva and a little blood upon it. The apron, when thrust into the mouth of Mrs. Richards, would occasion suffocation. I looked at her mouth. I saw that a tooth had been forced out by something

thrust into it. I then examined her face and skin; there was a mark on the right side of her throat; the skin was slightly raised; there was a similar mark on her nose; it appeared, as if a thumb and the finger of a hand had been placed there, and had occasioned them. From these circumstances I concluded, that she had come to her death by this apron having been violently thrust into her mouth and throat.

Thomas Scott, the accomplice.—I know both the prisoners at the bar, and was in company with them in the afternoon of Tuesday, April 8, at the Princess of Wales, near the asylum for the Blind, in the London-road. There was another man of the name of Pritchard with us; he is not in custody. We saw Mary Smith and Betsy Dell at the outside of the door there. We all drank beer there for about 10 minutes. From the Princess of Wales we went to Clapham. We set out about 10 minutes past 7. We were about three quarters of an hour in going to Clapham. We stopped near the Clapham workhouse, all four of us. I said, I hoped they were not going to murder or hurt the old lady; for if they were, I would not go any further with them. Before we left the London-road, Stoffel told me, that we were going to Clapham. Stoffel asked Pritchard and Keppel, whether they would go with him to Clapham to get some money. He said, that he had got an old aunt with plenty of money, which they could get with ease. Keppel asked, how they were to get into the house. Stoffel pulled out a brown paper parcel from his pocket, tied round with string, and sealed with black wax, directed for "Mrs. Bell, at Mrs. Richards', Clapham,

Surry." He said that would be an admittance. Stoffel planned in the Clapham-road, that I should deliver the parcel. At that time Keppel and Pritchard said, that they would not hurt the old woman. We then proceeded to Clapham, and came to Mrs. Richards's. Stoffel showed us the house. Keppel and Pritchard stood near the window. I stood opposite the door. Stoffel stood by my side, nearest the window. Stoffel knocked at the door; the old lady said, "Who is there?" I said, "Here's a parcel for Mrs. Bell."

Robert Hall, an officer of Union-hall, produced a parcel.

The witness continued.—That is the parcel. Mrs. Richards opened the door and took it to the light. She then put on her spectacles. Stoffel came in, and said, "My good old creature, we don't wish to hurt you: we only wish you to be quiet." Stoffel was not disguised, and there were fire and candle in the room. Mrs. Richards said, "Oh Lord: Oh dear!" On her saying so, Stoffel put his hand before her mouth. The old lady then fell, as if fainting. Stoffel eased her down on the floor, and said, "Poor old creature, we won't hurt her." Keppel and Pritchard then came in. Upon their coming in, Stoffel called on them to hold the old lady, because he knew best where the money was. Keppel laid hold of the old lady, and put his hand over her mouth. Stoffel and Pritchard went up stairs with the light. They left me and Keppel in the room. I took the watch that was hanging over the fire-place, fastened the front door, and followed them up stairs. I left Keppel with Mrs. Richards. We were not longer than three or four minutes up stairs. We searched

the back room up stairs. We took out of it five gowns and three or four silk handkerchiefs. We broke open no box or lock. We then came down stairs into the parlour. We found Mrs. Richards on the floor, and Keppel holding her down, with something white over her face, a handkerchief or apron, but I don't know which. Stoffel found a key hanging over the fire-place in the parlour; he opened the cupboard, and took out of it seven silver tea-spoons. Stoffel said there ought to be fifteen table-spoons, but he could not find them. There was a tea-caddy—on seeing it, he asked Keppel, if he had seen any small keys. Keppel then put his hand in Mrs. Richards's pocket and pulled out her keys. With one of them Stoffel unlocked the caddy, and found three sovereigns, and nine or ten shillings in silver. Stoffel put the money into his pocket. Stoffel said there was more money somewhere, but it was no use stopping. We all four then came to the door. Stoffel went out first, and we followed him. I was the last in; I put out the candle and shut the door close, but did not fasten it. All the time we were in the house, Keppel was near Mrs. Richards, holding her on the floor. I took no steps to see, whether she was alive or dead. I took one gown, one silk handkerchief, and the watch; Stoffel, Pritchard, and Keppel took the other property between them. Stoffel laid a poker on the outside of the window. Pritchard and I went on one side of the road, and Stoffel and Keppel on the other. We were about ten minutes in the house. As we were walking home, we turned up Love-lane, near Stockwell-green. Stoffel said to Keppel—"I hope the old woman is not dead." Keppel

pel said—"Oh, b—r, what odds." We then went to the Borough, and stayed in a house near the Mint. No conversation took place, but Stoffel and Pritchard took the things from me and Keppel, and went into Perkins's, who keeps a bit of an old iron shop. We might be about three-quarters of an hour in walking from Clapham. Stoffel and Pritchard went into Perkins's with the things, and I and Keppel into the Union public-house. It was then a little before nine o'clock. Stoffel and Pritchard came to us there in about ten minutes afterwards. When they joined us, Pritchard had the watch, which was in a metal case, in his fob.

George Walmisly, a pawnbroker, produced a watch, which he said had been pawned with him.

Witness continued.—I believe that is the watch. It was near 11 o'clock when we left the public-house. At that time Keppel and Pritchard were much in liquor: they were so drunk, that they fell down into the gutter. I called to Stoffel to help them up, but he ran off with the watch and a sovereign in his pocket. When Pritchard came into the public-house, he said that the things were sold for 25s. Some young man assisted in picking up Keppel and Pritchard. I took them in a hackney coach, to a lodging house in Kent-street. Not getting a lodging there, the coachman put them down at the Surry watch-house. The night constable said, that drunken people must not be left there, and so we drove to Keppel's home, near Amelia-street, Walworth. I stayed there about an hour, having first taken seven or eight shillings from Keppel's pocket to pay the coach-hire, which was four shillings. I walked all night about the streets. The next

morning I saw Keppel and Pritchard about seven o'clock at Keppel's house. We went from there to the Union public-house. Whilst we were there, Keppel and Pritchard said, that I must have the watch and the sovereign. I denied it. Mr. Betteridge, the master of the public-house, said that the young man in the brown coat had gotten it. We then went to the Princess of Wales in search of Stoffel, but did not find him. I had known Smith and Dell for some time before this: these two girls lived together in York-street, London-road: Keppel, Pritchard and myself went to their lodgings, and stayed there for a few hours. I afterwards went to Bristol with Pritchard and Keppel on the Sunday following. We arrived there on the Wednesday night, and left it on the Saturday morning following for London. We stopped at Marlborough as we went. On arriving in London, Pritchard went to his mother's at Mary-le-bone, Keppel to his mother's in Walworth, and I to my father, who is a rat-catcher, at No. 6, Nelson-street, Camberwell. I go a rat-catching with my father, but in general I am a labourer.

Cross-examined.—I was apprehended on Wednesday, 23rd of April, at nine in the evening. Stoffel was taken first, Keppel second, and I was taken last. I had seen and heard of the hand-bills proclaiming a reward of 200 guineas for the discovery of Mrs. Richards's murderers, before I voluntarily surrendered myself. I surrendered upon being told by an officer, that there was every hope and expectation that I should be made a witness for the Crown. My father came to me with a message to that effect from Mr. Allen. When I was brought before Mr. Allen, I was placed in the prison.

ers' box on three different occasions. I made the same statement then as I have done to-day. I was alone with Mr. Allen on one occasion. He asked me, if I was willing to tell the truth from beginning to end, and to turn King's evidence. I said that I would. I therefore gave my evidence, supposing that I should save my neck by it.

Thomas Reed.—I am night constable at Clapham. On Tuesday, the 8th of April, I went to Mrs. Richards' house. I took up a brown paper parcel which was on the table. That is the parcel which I took up. I also took up a pocket and an apron. The apron, produced in court this day, is the same as that which I then took up.

Stephen Carter.—I am a patrol belonging to the Clapham trust. I saw this parcel lying in Mrs. Richards's house. I gave it to Mrs. Bell; she opened it. It consisted of nothing but blank paper. She then gave it me, and I gave it Reed, the constable.

Elizabeth Dell.—I know Keppel only by seeing him in the London-road. I drank with him last April, about 7 or 8 in the evening, at the Princess of Wales. Anne Smith was with me. We lived together in York-street, London-road, at that time. We were 10 minutes with Keppel at the outside of the house, in the London-road. A man came up to us at that time; but I do not know who it was. We left the prisoners there. We saw Keppel, Pritchard and Scott the next day. I had never seen Scott before. I should know Scott again if I saw him.

Mary Anne Smith.—I saw the prisoners on Tuesday, the 8th of April, at the Princess of Wales, London-road, along with Betsey Dell; Keppel gave me the porter

on the outside of the door; I did not see Keppel any more, till the next day; he then came to my lodgings with Scott and Pritchard; Scott stayed, but Pritchard went away: I conversed with Keppel on the Saturday, but he told me nothing particular.

Robert Hall.—I am an officer at Union-hall; I apprehended Stoffel on the 10th of April, about 11 o'clock at night, and Keppel on the 22nd, about 12 at night; Glannon was with me when they were apprehended; I took Stoffel at the Cock, at Camberwell; this brown paper parcel was then in my custody; I did not then produce it to Stoffel; I asked him the next morning at the office to write; I dictated to him, what he should write, and he wrote this paper; the magistrate saw him write it.

Cross-examined.—I was first employed on the 8th of April to discover these murderers, and on the 10th I found Stoffel. Mr. Allen was present, I think, when I asked Stoffel to write. When I took Stoffel into custody, he was so drunk, that I was obliged to throw him neck and heels into the cart in which I took him to London.

Re-examined.—I let Scott out of my custody for six or eight hours together at a time, in the hopes of finding Pritchard. I stood as a hackney coachman, night after night, in Westminster, myself, in order to detect him. I have travelled hundreds of miles for the same purpose. Whilst I waited in Westminster, I was disguised in a hackney-coachman's great coat, that I might not be known; if I had been in my present dress, I should have been too well known. Pritchard was in the habit of living with the prostitutes of Westminster.

James Glannon.—I am a constable of Union-hall. I apprehended Stoffel along with the last witness. I took Scott with his father on Kennington-common by appointment. I kept him for nearly two months at my house to assist me in apprehending Pritchard. Scott did every thing in his power to apprehend him.

Lancelot Baugh Allen, Esq.—I am a magistrate of Union-hall. Stoffel was brought before me on Friday, the 11th of April. This brown paper parcel was produced before me. I found Stoffel writing on a paper, which has been produced in court. As soon as he had finished writing, Hall flung down the brown paper parcel, and said, "My lad, did you ever see this before?" Without a single word intervening, Stoffel then said, "I will confess all, I was there." I immediately warned him, that no hope of mercy would be extended to him; he immediately reiterated his expression, that he would confess all; I warned him on the subject most fully; what he said was then taken down by myself and the clerk for greater accuracy; the writing down his confession took up three or four hours; I read over to him what I had written, which was checked by the clerk, Mr. Reeves.

Mr. James Reeves, clerk to the magistrates at Union-hall, deposed to the same effect.

The confession of Stoffel was then put in and read. It fully corroborated the testimony given by the accomplice Scott.

W. Perkins.—I keep an iron-shop in Blue-Ball-alley: I never purchased any tea-spoons or gowns, either then or at any other time. No gown nor watch were offered to me that evening for sale. I can

swear with safety, that these things were never offered to me either on that day or any other time.

Several witnesses deposed to the conduct of the prisoners at the Union public-house, on the evening of Tuesday, the 8th of April, as it had been described by Scott.

Anne Hill.—Stoffel gave me a watch to pledge. I took it to Mr. Walmisley, a pawnbroker, in the London-road. I got 7s. for it, and a duplicate. I believe that to be the watch I pawned. I gave the 7s. to Philip Stoffel.

George Walmisley, a pawnbroker, proved that the watch in question was pledged with him by the last witness, on the 10th of April last.

Martha Hook.—I am niece to the late Mrs. Richards. Stoffel is a nephew of mine, and son of a niece of Mrs. Richards. I know that my aunt had a watch. I believe that this watch is hers. I know it by the name of "Thomas Richards, London," marked on the plate.

Cross-examined.—I swear to the watch, from the name that is inscribed within it, and from nothing else.

Sophia Jones was sure, that this watch was the watch of Mrs. Richards. Mrs. Richards, a month before her death, opened the watch, and showed the witness her husband's name written on the plate. She found that the name was so written in this watch, and she therefore believed it to be that of Mrs. Richards.

The Jury asked leave to retire, and after being absent about 35 minutes, returned with a verdict of Guilty against both the prisoners.

Mr. Sergeant ONSLOW immediately pronounced sentence of death upon them.

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PUBLIC DOCUMENTS.

I.—DOMESTIC.

LETTER ON THE STATE OF IRELAND FROM THE LORD LIEUTENANT.

Phoenix Park, Jan. 29, 1823.

Sir;—A considerable time has elapsed since I have addressed to you a detailed report of outrages committed in the provinces of Ireland, according to the plan which I pursued during the last winter and spring, of submitting periodical statements on that subject, for his majesty's information.

During the summer and the early part of the autumn of 1822, the measures sanctioned by parliament, for the restoration of tranquillity, combined with other causes, had produced such a degree of quiet, that no necessity existed for my usual communications; and I entertained a hope, that I might have been able at this time to furnish a very favourable report of the actual state of the country; and that this winter would have passed without any material disturbance of the public tranquillity.

Although events have happened in some of the provinces, which have disappointed my expectations, I am happy to inform you, that the general condition of Ireland, with respect to internal tranquillity, is considerably ameliorated.

In the county of Limerick, the principal seat of the late disturbances, my expectations have not

been disappointed. The reports from the magistrates of that county, present no aggravated cases of crime, but manifest indications of the decline of that system of illegal and secret combination, which originally led to open violence. Information is now more readily afforded; criminals are more easily detected; and the witnesses against them no longer entertain that extreme apprehension of danger, which, during the early part of the year 1822, so universally, and so justly prevailed.

Limerick, therefore, has been restored to a state of tranquillity, and it is now more exempt from crimes than other counties, which have been deemed tranquil. The condition of Limerick, however, cannot justify the removal of any considerable portion of the force of the army or police; nor the suspension of the operation of the insurrection act.

In the general conflict of political opinion, which is the prevalent character of Ireland, many persons declare the spirit of the people of Limerick to be unimproved, and attribute the existing tranquillity, exclusively to the terror produced by the means employed for enforcing obedience to the law.

But, whatever may be the origi-

nal cause of tranquillity, I do not apprehend that the county of Limerick will soon be disturbed again, to any great degree. Under the protection of the law, lately enacted, an improved force of police has been established in the county; and the magistrates have incessantly laboured to improve the local administration of justice, and to give additional power to the laws, by a more vigorous and impartial exercise of their provisions.

If the protection now afforded be continued for a sufficient period of time to render the success of the plans of the original agitators hopeless and impracticable, the ordinary laws, under a just and pure administration, may be found amply sufficient for the preservation of the public peace in that county.

It is impossible not to contemplate the improved condition of the county of Limerick with a degree of satisfaction, not confined to the limits of that district, but opening to a prospect of similar and more extensive benefits, through the introduction of similar improvements in other parts of Ireland. Nor can I withhold the testimony of my most cordial approbation of the merits of the nobility, gentry, clergy, and magistrates of Limerick, in enabling the government to lay the foundations of this great and auspicious work—by which the main source of disorder and lawless violence has been rendered an example of tranquillity, and of the due administration of justice. In the advance which has been made towards this salutary reform, the services of Mr. Serjeant Torgers have been most essentially and eminently useful; nor is it possible for me to express, in terms of too warm commendation, my

grateful sense of his judicious, humane, and active and persevering exertions.

The county of Clare has generally been exempt, until lately, from outrages of a serious or insurrectionary character.

At the end of November last, however, some disposition to disturbance began to manifest itself in Clare—by notices on the subject of tithes—by punishing persons engaged in the collection of them—and by a violent attack on Mr. McCulloch, a clergyman, whose life was seriously endangered by the injuries which he suffered.

To such an extent had crime prevailed in the barony of Tulla, that the magistrates had anticipated the necessity of requiring the application of the provisions of the Insurrection act.

Serious outrage, however, has been principally confined to the proclaimed districts of the counties of Cork and Tipperary.

At the close of the harvest, a general disposition was manifested, in those districts, to invade the property of the clergy, and of others receiving an income from tithe.

The system of notices (not applied, as formerly, to rents and tithes), was confined to tithes; and these notices were followed by acts of outrage, differing from those in the last year, both in character and conduct.

Tithe property, whether in the hands of laymen or ecclesiastics, was the object of attack; and the means usually employed, destruction by fire. During the latter part of September, few nights passed without the destruction, by fire, of some building, haggard or stacks of tithe-corn, in the proclaimed baronies of the county of Cork.

The same system has continued in those baronies, with some abatement to the present time.

It is a curious circumstance, however, in the character of these transactions, that, in several instances, the grain had been artfully separated from the straw, and had been sold by the proprietor of the stacks, for its full value; and that the same proprietor had destroyed the stacks of straw by fire, with a view of recovering from the barony the full value of the corn already sold. These cases were not unfrequent.

The incendiary was of course undiscoverable.—The fact of such numerous and secret conflagrations was alleged to be an indisputable proof of general combination, until the vigilance of the military and police actually detected a considerable number of the stacks of straw, cleared of the grain, and prepared for the fire, and thus discovered the whole mystery of this double fraud.

By the activity of the troops and of the police, the number of conflagrations has been gradually reduced; several instances, however, of that outrage occurred during the last week, in one barony.

While these lawless outrages have been directed against tithe property, the former system of robbing houses for arms, has not been altogether abandoned.—Attempts to destroy persons obnoxious to the insurgents, on account of information given, or of a refusal to obey their commands, have been renewed; but these robberies have not been frequent, and have appeared rather subsidiary to the attainment of other objects, connected with the destruction of the property of the church.

In the course of November, the

system extended itself to the barony adjoining those originally proclaimed, to such an extent, as to require the application of the provisions of the Peace Preservation bill.

Instances also have occurred of similar outrages against tithe property, in parts of the county of Cork, more remote from the baronies in which the spirit of violence originally appeared. There is reason to believe, that in some of these cases, the outrages have been perpetrated by persons detached for the special purposes, from the disturbed baronies; and even in the parts of the country where the outrages have most prevailed, they have seldom been conducted by persons of the immediate neighbourhood, with the exception of the cases of fraud already described.

In Tipperary a similar system commenced, though in a mitigated degree. During the latter part of September and the month of October, some destructions of property by fire occurred; notices were posted, and some attacks were made for the purpose of procuring arms. The progress of disturbance appeared so rapid to some persons, as to induce the magistrates, assembled at a special session, to request an extension of the Insurrection act to a barony to which it had not been previously applied.

The request having been received on the eve of the proclamation for carrying into effect, in that county, the new system of police, it was thought advisable to withhold the application of the Insurrection act, until the effect of the new system of police had been ascertained by experiment.

Many crimes have since been committed in the county of Tipperary, but not generally, of the former insurrectionary character.

The districts of the King's and Queen's counties, bordering on Tipperary, have been affected by similar disorder; property has been destroyed by fire; and in some places, great apprehensions have existed of the disturbance of tranquillity. The establishment of an effective police, under the act of the last session, in both these counties, will probably reduce the spirit of outrage within more narrow limits; and, it may be hoped, will ultimately extinguish it.

In the county of Roscommon, notices of an inflammatory and threatening character, during the winter, have been generally circulated.

Outrages have at intervals been committed, of an aggravated nature, some partaking of the character of those now prevailing in certain districts of the county of Cork, and others more connected with the general disturbances of the last year; but, in consequence of the exertions of the police, the outrages in Roscommon have not attained any alarming height.

Some disturbance has also occurred in the counties of Kildare and Westmeath; it has been met, in both instances, by an extension of the Peace Preservation act to additional baronies.

The province of Ulster maintains its tranquillity. From many quarters information has been received, of an increased activity in the swearing of Ribbonmen; and, in some instances, meetings have been held, which have terminated in serious affrays; but, with the exception of these riotous proceedings, the peace of the province had been generally preserved by the exertions of the gentry and magistrates. This general view of the state of Ireland certainly ex-

hibits a scene of tranquillity, compared with the corresponding period of the last year.

Numerous crimes are recorded in the reports of the several magistrates; but they have not been so frequent, and generally not of so sanguinary a character, and not so strongly marked by a systematic resistance of authority. The fear of the law appears, in many instances, to have superseded the dread of lawless vengeance. Difficulties of procuring evidence of crimes, committed even in the presence of many witnesses, still exist; but those difficulties are neither so great nor so general as in the former periods of time. The execution of some individuals, for the murder of a crown witness, at Limerick, has given confidence to the well-affected; and has created a general impression, that the law is able to avenge and to protect those who assist in its due administration. On the other hand, in most of the lately disturbed districts, a general distrust of each other, has been diffused amongst the authors and agents of violence and disorder: and a general terror exists of the peril of extensive combinations of insurrection. This alarm has certainly arisen from the more vigorous, and, at the same time, impartial administration of the law.

Undoubtedly, throughout the whole country, a general disposition prevails to invade the property of the clergy, to resist the payment of tithes; and to resort to every means of defeating all demands of the church. This may be partly attributed to the difficulties of the times, partly to the spirit of resisting lawful authority, which has been so sedulously encouraged. While this spirit shall continue to break forth in outrages

of the nature now prevailing in some districts of Cork, and in other places ; while these outrages shall be committed by combinations of persons not immediately connected with the actual scene of mischief, but traversing the country at night, in gangs of incendiaries ; prudence must forbid the relaxation of those extraordinary powers which parliament considered to be necessary for the preservation of the peace of Ireland ; and which, duly exercised, have already contributed to produce whatever improvement has been effected in the general state of the country.

Among the causes of public amelioration which have commenced to operate in Ireland, the act of the last session of parliament for the improvement of the police, demands particular notice.

The introduction of the improved system of police, has been accomplished gradually, and with general good will and temper in several counties.

The magistrates have cheerfully co-operated in giving effect to this great and salutary alteration in the internal government of Ireland.

It would neither be prudent nor just to precipitate the extension of so considerable a change of system ; the beneficial progress of which might be frustrated, but could not be accelerated by a premature effort to force its universal application.

In some districts, the practical benefits of the system itself, have already commenced their operation. It would, however, be as vain and presumptuous to expect, instantaneously, the full advantages of such a change, as it would have been rash to hasten its introduction. The course of time, the steady perseverance of the government, and the progressive confi-

dence of the gentry and magistracy, may be expected to mature and perfect the good fruits of this wise and useful law, wherever it has been applied ; until a general sense and view of its happy consequences shall sanction its general extension.

In the mean while, it is highly satisfactory to observe, that the early appearance of this plan bears an aspect so favourable and hopeful.

Similar observations occur with respect to the revision of the commission of the peace. No reasonable mind could expect that so invidious a task could be attempted without occasioning partial discontent ; or that a work so difficult and complicated, could at once be accomplished and displayed in complete perfection. The experience of all practical government, the rules of all political wisdom, would naturally suggest, that such a revision could not be perfect in its first effort ; and must require frequent and careful reconsideration, before its advantages could be entirely realized.

Accordingly, complaints have arisen, with respect to the most delicate and arduous considerations, in the progress of this necessary reform ; attention has been paid to these complaints, wherever it has been deemed consistent with the principles of the proposed improvement ; and I have no doubt, that the commission of the peace will be the object of constant vigilance and care, until the beneficial views of his majesty's government shall be perfected, to the utmost practical extent, in the general improvement of the magistracy of Ireland.

In some counties, the reform is already almost complete, and is generally satisfactory ; while, through-

out Ireland, the mere knowledge of the existence of a system of revision has produced salutary consequences, by increasing the diligence, accuracy, and careful conduct of the magistrates—and by a more effectual and more pure administration of the law.

The useful practice of assembling frequently and regularly in petty sessions, has been introduced into some counties; and the dangerous habit of administering justice by separate magistrates, at their respective residences, is gradually subsiding.

I have given every encouragement to the extension of the system of holding petty sessions; and, at one moment, I contemplated the propriety of suggesting a law upon the subject. But, having reason to believe that the magistracy is generally disposed to adopt the practice by voluntary regulation, I prefer the experiment of their own uncontrolled good-will, until I can ascertain, by time, whether the addition of legal rule may be necessary to stimulate their exertions.

From the statement of facts contained in this despatch, and from the observations which I have submitted to you, it will appear, that the general condition of Ireland, with regard to the internal peace and tranquillity of the provinces, is considerably improved since the last winter; that the appearance of systematic disturbance is confined to a few districts on the north-western boundary of the county of Cork; and that, even in those districts, no insurrectionary combination has been manifested; but that a most outrageous attack has been made upon the system of tithes, and upon the rights and property of the church with reference to that system.

That a considerable improvement has been effected in the administration of the law, within the districts which had been disturbed; and that it is reasonable to expect increased vigour and purity in that administration. That the new police had been introduced into the lately disturbed districts, and into others, with general approbation, with the cordial and effective co-operation of the magistrates, and in many instances, with great success in the detection of crime, the speedy apprehension of offenders, and the maintenance of public peace.

That the revision of the magistracy is proceeding regularly; and that the general conduct of the magistrates, in establishing frequent petty sessions, and other useful regulations, affords just reason to expect a progressive improvement in the magistracy of Ireland.

I have not referred in this despatch to the dangerous system of associations under the obligation of secret and mysterious oaths. Having, sometime since, submitted to you a separate despatch, relative to the trial and conviction of several persons denominated Ribbonmen, I added to that despatch some observations, suggesting the necessity of strengthening the law of Ireland against the peril of those societies.

The question of the increase or diminution of the spirit of this association, is stated differently, according to the particular views, imaginary interests, and flagrant zeal of conflicting parties.

In this contention (ludicrous in principle and theory, but mischievous to the state in practice), it is, at least, an advantage to the king's government to have completely detected and publicly exposed the

whole craft and mystery of the Ribbon conspiracy. And I cannot believe that such an exposure, accompanied by such convictions, sentences, and punishments, should neither assuage the zeal, nor abate the bravery of these covenanters, nor relax the holy bond of their illegal oaths, and treasonable contract.

But I request your attention to the suggestions which I have submitted, for the more effectual restraint of this system of mysterious engagements, formed under the solemnity of secret oaths, binding his majesty's liege subjects to act under authorities not known to the law, nor derived from the state, for purposes undefined; not disclosed in the first process of initiation; nor until the infatuated novice has been sworn to the vow of unlimited and lawless obedience.

The vigour and activity of the law should be exerted to extirpate this mischief, which has been a main cause of the disturbances and miseries of Ireland. The mystery

is now distinctly exposed: I therefore anxiously hope and trust, that his majesty's government will add to the various benefits which they have already imparted to this country, the inestimable favour of abolishing by law, in Ireland, an evil, which has been abolished by law in England. I have, &c.

WELLESLEY.

P. S. In examining this despatch, I perceive, that although the necessity of continuing the Insurrection act, is repeatedly to be inferred from the tenor of the facts and observations stated, I have not directly recommended that measure; I request his majesty's government to understand, that I consider the renewal of the Insurrection act, for another year, to be indispensably requisite, not only for the preservation of tranquillity in Ireland, but for the success of all those plans of improvement which may be expected, ultimately, to render the insurrection act unnecessary. W.

SUBSTANCE OF THE RETURNS MADE TO PARLIAMENT ON THE EDUCATION OF THE POOR IN IRELAND.

Several returns were made to the house of Commons, in the course of this session of parliament, respecting the means of education afforded by diocesan and parochial schools in Ireland. The following extracts contain a summary of the information thus obtained on this interesting subject:—

Diocesan Free Schools.—It appears by the returns, that there are sixteen of those schools in Ireland, in which 486 scholars are educated. The amount of the income appropriated for that purpose is 1,393*l.* 4*s.* 7*d.* The greater part

of this sum is derived from a charge made upon the bishops, clergy, and lay impropriators, pursuant to the 12 Eliz. cap. 1. Of this charge one-third is on the bishop.

Parochial Schools.—The returns under this head are very imperfect. From some parishes no returns have been made, and this occurs in almost every diocese. We give the results as they occur, under the heads of the separate dioceses, arranged alphabetically.

Archdiocese of Armagh.—In this there are 79 parochial schools, giving education to 4,500 boys and

girls. There are 15 parishes which have no school-house; two parishes, of which the number of schools is not stated; and eleven parishes, of which the number of schools is included in the above; but the number of scholars is not stated.

Cashel.—In the 34 parishes from which returns have been made, there are 30 schools, containing 1,491 children.

Clogher has 50 schools, attended by about 2,500 children.

Dublin and Glandelagh contain 112 schools, parochial and others, where gratuitous education is given to about 8,000 children.

Clonfert and Kilmacduagh.—In the returns from eight parishes we find 18 schools, containing 1,087 children.

Cork and Ross.—The returns from this diocese are very vague, and give no details of the state of education. The registrar, who makes the return, states—"In the dioceses of Cork and Ross there are 74 benefices, of which six are sinecures, and nine small noncures, without churches or glebe-houses, the income of which are insufficient to support resident clergymen. In these dioceses there are, according to reports made previous to visitations, 50 parish schools kept and supported at the expense of the respective beneficiaries, and probably others not notified. It appears, also, from the registry of the dioceses, that 25 private schools have been licensed, many of which are supported by voluntary subscriptions. There are in the city of Cork several schools supported by charitable donations and bequests. The number of scholars in the different schools I have no means of acquiring a knowledge of."

Cloyne.—In the 58 parishes

from which returns are made, there are 38 schools, containing altogether 1,689 scholars.

Derry.—In 52 parishes there are 48 schools, attended by 2,933 scholars.

Down and Connor.—There are 34 parish schools in these dioceses, in which are instructed about 2,000 children. There are 14 parishes without any schools, and 26 parishes which have made no returns. Besides the parochial schools, there are in these dioceses about 200 private schools, in many of which a great number of the children are educated gratis. The number of children attending these vary from 200 in some, to 20 in others.

Down has 24 schools, attended by 1,578 children. All these, however, are not strictly parochial. Many of them are assisted by small funds from the parish, and contributions from such parents of the children as can afford it. Of this class the number is but very small.

Elphin has 66 schools, containing 4,180 children. In many of these some of the children pay small sums, varying from 2s. to 8s. per quarter.

Ferns contains 37 schools, attended by 1,871 children.

Kildare has 19 schools, giving instruction to about 1,000 children.

Killala and Achonry.—There are 76 schools returned in these dioceses, but they are not all parochial. Twelve of them may be called parish schools. Twenty-seven are supported by Baptist societies. Several receive their principal support from grants by the London Hibernian School Society, and some are partly supported by the parents of some of the children who attend. The total num-

ber of children instructed in the schools is 5,827.

Killaloe and Kilfenora have 23 parish schools, containing 1,456 scholars. The funds from which the teachers are paid are principally derived from a small contribution by the rector of the parish, grants from the society for discountenancing vice, and in some instances by donations and subscriptions, and by small sums paid by the parents of some of the children.

Kilmore has 34 schools, in which 1,982 children are instructed—the greater part gratis.

Limerick, Ardfert and Aghadoe, contain 15 parochial schools, which are attended by about 1,200 children.

Meath has 66 schools, containing about 5,000 scholars.

Ossory has 36 parochial schools, at which between 4,000 and 5,000 children attend; there are, besides these, several which, though not parochial, give gratuitous education to some hundreds of poor children.

Raphoe has 40 schools, attended by about 2,000 children.

Tuam.—The return for this diocese gives six parishes, in which there are schools. Three of these only are attended. The inhabitants of the others are chiefly Roman Catholics, and prefer to send their children to teachers of their own religious persuasion, rather than to the licensed Protestant teacher in the parochial school, though in most instances the latter is much more qualified to communicate instruction.

Waterford and Lismore have 52 schools, where children are for the greater part gratuitously instructed. They are not, however, all parochial; many of them are sup-

ported by subscriptions; several are Roman Catholic charity-schools. The total number of children varies from 2,500 to 3,000.

The funds for the support of these schools are derived from a small contribution by the rector (seldom exceeding 3*l*. or 4*l*. a year, and in general not more than 2*l*.); from small grants by the society for discountenancing vice, and the London Hibernian school society; from occasional subscriptions and donations; and in many instances from the small contributions by the children of such parents as can afford it. The parish school master is in general the parish clerk, for which last duty he has in most cases not more than 10*l*. a year. He also, in cases where the parish furnishes a school-house, lives rent free, and has from half an acre to two acres of ground on which to raise provisions (potatoes) for his family. With all these advantages, his income seldom exceeds 30*l*. a year. But half the teachers in the schools mentioned in the above returns have not near that sum arising directly as the reward of their scholastic labours. Thirty pounds a year are a considerable property in some districts in Ireland, and the fortunate possessor is always an important, and often an estimable personage,—in the village circle, aye, and not seldom in the more extended one of the smart country town. According to the returns, it appears that many of those patient drudges, who “teach the young idea how to shoot,” have not 10*l*. a year as the reward of their exertions in this way. Of this, perhaps, the rector contributes his 2*l*., and the rest is supplied by the London Hibernian school society, or by that for discountenancing vice.

The consequence of this is obvious, that the poor children committed to his care must be sadly neglected, whilst the teacher is exercising his skill in several other professions. In those returns, many complaints occur against the conduct of the Roman Catholic priests in persuading their flocks to withdraw the children from those parochial schools. In one return it is stated, "that a great diminution of the number of children attending Protestant schools had taken place, owing to the interference of the Roman Catholic priests,

who, though every precaution is taken against any interference in the religious principles of their persuasion, have succeeded in withdrawing many of them from the schools." In the return from another parish in the parish of Dublin it is stated, that "in one school 120 Roman Catholic children attended until the reading of the Holy Scriptures was introduced last month." It is to be deeply regretted that such bigotry should exist, and particularly amongst an order of men, who from education ought to know better.

RETURNS OF THE INCREASE AND DIMINUTION OF SALARIES IN PUBLIC OFFICES.

By an act, the 50th George 3rd, c. 117, it was enacted, "that between the 1st of February and the 25th of March in every year, if parliament should be sitting during any part of such period, or if parliament should not be sitting, then within 40 days after the commencement of the sessions of Parliament in such year, there should be laid before both Houses of Parliament, an account of every increase and diminution which shall have taken place within the preceding year, ending on the 1st day of January, in the number of persons employed in all public offices or departments; or in the salaries, emoluments, allowances, and expenses, which may have taken place, or been paid, granted, received; or incurred, for, and in respect to, all officers and persons belonging to, or employed in, or by, or in the service of, all public offices or departments, specifying the amount and nature thereof; and distinguishing every increase or diminution in the amount of all allowances or compensations grant-

ed or allowed as retired allowances or superannuations, to any person or persons having held any office, place, or employment, in any such public office or department, or having been employed in any manner in any public services under any such office or department; and specifying in every such account the time and length of service of every such person, and the amount of salary and allowances received by such person immediately preceding his superannuation, and the nature of his services; and also specifying the grounds upon which every such increase or diminution in the establishment of any public office or department, or any salary, emolument, allowance, or compensation, or superannuation, as aforesaid, shall have been made, granted, or allowed." Pursuant to this act, an account, as above described, has been laid before parliament every year. The following is an abstract of that presented in the present session, for the year ending the 5th of January, 1823:—

60* ANNUAL REGISTER, 1823.

(We give the several items without the odd shillings and pence.)

	Increase.	Diminution.
Treasury (including the Revenue, Irish, and Commissariat branches *	£. nil	£. 4,979
Solicitor of the Treasury	6	450
Privy-Council-office	83	557
Ditto ditto for Trade, &c.	2,447	nil
Secretary of State (Home Department)	640	952
Ditto (Foreign ditto)	142	2,234
Ditto (Colonial ditto)	nil	421
Registrar-of-Slaves-office.....	nil	40
Alien-office†	50	nil
State-Paper-office	nil	262
India Board‡	4,170	nil
Commander-in-chief's-office.....	56	21
Quartermaster-General's-office.....	57	nil
Adjutant-General's-office	181	205
War-office	4,972	8,764
Army Medical Board.....	30	nil
Judge Advocate General's office	nil	300
Pay-office	986	1,238
Ordnance-office { England and Foreign Stations	nil	2,635
Ireland.....	nil	121
Chelsea Hospital	nil	646
Royal Military College.....	43	nil
Admiralty §	nil	2,930

* Of the persons reduced in this department, twenty six have been from the Commissariat branch.

† The increase in this office is thus explained in the return :—" This increase arises from the appointment of a *special* agent at the port of London, for the *accommodation* of *alien* passengers on board the steam-vessels." The *accommodation* of alien passengers! Many of the alien passengers, would be very glad to dispense with the *attentions* of this *special* agent.

‡ The sum saved last year in this board was 1,330*l.*, " by the abolition of the office of *precis*-writer; by the discontinuance of one messenger, and by reductions and suspensions of salaries of some of the clerks:" but this was overbalanced by the assignment of a salary to the president, by his majesty's warrant of 25th of February, 1822; and by an increase on account of length of service, to the salaries of the secretary and some of the clerks. These, together, made an increase of 5,600*l.*

§ The saving, for which we must give ministers any credit, is, in this department, not more than 630*l.* per annum, of which 290*l.* is by reduction in the establishment from April 12th, 1822; and 340*l.* from salaries at less rates being allowed to the clerks appointed to fill up the vacancies occasioned by the appointment of a clerk of the first class of the secretary to the Victualling Board. From the 2,930*l.* abovementioned, we must deduct 2,000*l.*, the salaries of the two Admiralty lords, whom the House of Commons, voted *useless*: and also of 300*l.*, the salary of secretary to the first lord of the Admiralty, the gentleman holding the situation having declined to receive it.

(Continued.)

	£.	£.
Navy-office (Foreign Establishment for 1821).....	nil	584
{ 1 Navy-office.....	16,191	205
Navy { 2 Dock-yards (by superannuations).....	15,778	55,287
{ 3 Navy Pay-office.....	1,848	nil
Victualling-office*.....	10,702	nil
Victualling-yards and Medical Establishments ...	nil	3,296
Tax-office	5,074	15,085
Customs { England†	25,479	9,916
{ Scotland	1,311	3,628
Excise (England)†.....	2,059	6,652
Ditto (Scotland)	1,540	3,782
Post-office ‡	767	1,687
Stamp-office §.....	nil	10,411
Mint-office.....	95	nil
Audit-office	2,122	6,356
Ditto (Colonial)	25	40
Office of Comptroller of Army Accounts.....	918	nil
National Debt-office	779	nil
Lottery-office.....	nil	348
Hackney Coaches, Hawkers, &c. office	nil	1,232
Office of Auditor of the Receipt of the Exchequer	1,600	2,300
Tellers'-office	91	nil
Tally-office	nil	575
Exchequer Bill-office.....	196	nil
Stationery-office.....	17	658
Woods, Forests, and Land Revenue-office	398	nil
Receiver's office (Isle of Man)	100	nil
Hanaper-office	nil	400
Barons of the Exchequer (Scotland).....	300	nil
The Jury Court (Scotland)	nil	202
The Court of Session (Scotland)	887	nil
Hawkers' and Pedlars'-office (Scotland)	nil	21

* The increase in this department proceeds from allowances to officers retired on the reduction of the victualling establishments in several dock-yards: the sum saved thereby is not stated.

† The actual increase in the number of persons employed in the customs in the last year was 513; the actual decrease, 389; the difference is 124. In the increase are included 245 officers and men belonging to seven cruisers, formerly paid by the Excise, and transferred to the Customs in the last year; and the remainder, with the exception of 26, consists of persons added to the preventive coast guard. In the increase in salaries and emoluments also are included, the salaries and allowances of the cutters so transferred, amounting to 14,463*l.* 5*s.* 3*d.*

‡ The diminution in this department is explained by the preceding note.

§ The increase in the number of persons is 15 letter-carriers and three supernumeraries in the two-penny post department, "rendered necessary," it is stated, "by the increase of buildings in and round the metropolis."

§ The diminution in this department proceeds partly from the reduction of some officers, partly from the reduction of the salaries of others, but chiefly by the

The following public departments are returned as having had neither increase nor diminution in the course of the year. The office for Military Boards; the Chaplain General's office; the Royal Military Asylum; the Royal Marine-Pay-office, the Pells office; Auditor's-of-Land-Revenue-office, (for England and Wales); Alienation-office; Remembrancer-of-First-Fruits-office; Receiver-of-First-Fruits-office; Receiver-of-Tenths'-office; Signet-office; Privy-Seal-office; High Court of Justiciary (Scotland); High Court of Admiralty (Scotland); and the Supreme Consistorial Court of Scotland. The fact of an increase and diminution of expense in the same office, as compared with the preceding year, is thus accounted for. In some offices, the salaries have been reduced, while the allowances and contingent expenses are increased, and *vice versa*. The general nature of the increase and diminutions in the aggregate will be seen from the following abstract;—the increase in the number of persons employed in the departments above named, is 151—of these, 124 are in the Customs (England); 18 in the Post-office; 4 in the Privy-Council-office for Trade, &c.; and 2 in the National-Debt-office; the Alien-office; Victualling-office, and the Receivers-office (Isle of Man) have had an increase of one each. The diminution in the number of persons employed amounts to 793. Of these, there are from the Dock-yards, 316; from the Excise

(England), 223; from the Excise (Scotland), 29; from the Customs (Scotland), 62; from the Treasury (including the revenue, Irish and Commissariat branches), 28; from the War-office, 22; from the Audit-office, 26; from the Ordinance department (English, Irish, and Foreign stations), 16; from Chelsea-hospital, 7; from the Stamp and Hackney-coach offices, five each; from the Privy-Council-office, from that of the Auditor of the receipts of the Exchequer, and from the Admiralty, three each; from the Tax-office, 13; from the India Board, 2. In the Foreign-office, the Navy-Pay-office, the Judge-Advocate-General's-office, the Pay-office, and the office of Comptroller of Army accounts, one each. The increase under the head of salaries is 10,865*l.* 1*s.* 8*d.*; emoluments, 12,744*l.* 5*s.* 3*d.*; allowances, 47,619*l.* 6*s.* 8½*d.*; expences, 15,108*l.*; superannuation in the Dock-yards, 15,778*l.* 6*s.* 8*d.* The diminutions under the same heads is thus given: salaries, 133,986*l.*; emoluments, 579*l.* 4*s.* 7*d.*; allowances, 4,875*l.* 9*s.* 8*d.*; expences, 10,001*l.* 9*s.* 8*d.* Total increase, 102,115*l.* Total diminution, 149,446*l.* 14*s.* Excess of diminution above increase, 47,331*l.* 11*s.* Besides this, there will be a further saving in the course of this year in the several reductions included in the above; very many of them are dated as late as August and September, 1822, up to which the parties in possession received their full pay.

reduction of the poundage from 4 per cent, allowed to the distributors of stamps in England, and at Glasgow, on all sums above 10,000*l.* remitted by them respectively. The scale of poundage is now regulated as follows:—Pursuant to a treasury minute, dated March 5, 1822, for every sum after the first 10,000*l.* and under 20,000*l.*, 3 per cent.: for every sum above 20,000*l.* and under 30,000*l.*, 2½ per cent., for every sum above 30,000*l.*, 2 per cent. The saving effected last year by this reduction was 9,437*l.* 15*s.* 7*d.*

No more of the savings can therefore appear in the present account than the difference between the full pay and the retired allowance,

for the remainder of the year, or, where no allowance was given, the amount of pay saved.

SUBSTANCE OF THE REPORT OF THE COMMITTEE OF THE HOUSE OF LORDS ON THE APPELLATE JURISDICTION.

The Committee of the House of Lords, appointed "to consider of the best means of facilitating the administration of justice, as connected with the hearing of appeals, writs of error, and other judicial proceedings," after having consulted the various returns respecting the business before the House of Lords, the appeals, &c. disposed of, and those remaining undisposed of, have made a report, in which they state, that they proceeded to consider—

First—The causes which appeared to have produced the accumulation of judicial business now depending before the House of Lords.

Secondly—The best means of preventing its future growth; and

Thirdly—The urgent necessity of disposing of the present arrears.

On the first head of inquiry—the "Causes" of the increase of business—their lordships say,

"Amongst the various causes which have produced the present accumulation of business, it is apparent, upon the accounts referred to the committee, that the great number of appeals from Scotland is the most prominent; there being at this time 151 Scotch appeals out of the total number of 225 appeals remaining unheard, which, according to the average number annually heard upon three days in the week during each session since 1813, could not be disposed of in five years from this time, exclusive of the additional number of appeals

which may be presented annually during the same period; and it is to be remarked, that the appeals from Scotland are not only more numerous than other appeals, but that they generally occupy a much larger portion of the time of the house.

"Ireland also has furnished a considerable accession to the general mass of business in the supreme court of appeal.

"And in England, the increased business of the court of Chancery, in which the property of the suitors has, within the course of the last reign, risen from 4,700,000*l.* to above 33,000,000*l.* sterling, has not only increased of necessity the number of appeals, but has also occupied so much larger a portion of the time and labour of the lord chancellor in his own Court, as to preclude him from bestowing an adequate degree of attendance for the decision of all the appeals which come from England, Scotland, and Ireland, to the House of Lords."

On the second head of Inquiry—the best means of preventing the future growth of the business—their lordships report, that, with respect to Scotland, according to the most competent authorities on such subjects, many improvements in the forms and modes of conducting suits might be there introduced with great benefit to the suitors, and to the general administration of justice. First, the forms of

proceeding and pleading, their lordships suggest, might be so altered as to bring the matters in controversy to more simple and precise issues of law and fact; that matters of fact might be referred more extensively to the Jury Court; that resort to a jury might be had with advantage in the inferior courts; and that by separating the decision of fact as much as possible from the mere matter of law, the appeal might finally be reduced to a question of how the law should be applied to previously ascertained facts. Secondly, that an intermediate Court of Appeal might be usefully established in Scotland, without any material increase of delay or expense to the parties; by laying aside the present mode of reclaiming petition to that division of the Court of Session with whose decision the party is dissatisfied, and by giving the appeal from one division to the other; or by dividing the Court of Session into three divisions, and giving the appeal to the two divisions who have not pronounced on the first hearing; or by giving an appeal to the whole Court of Session sitting together; the decision to be vested in a majority of the whole number. Thirdly, that it might be expedient to make the decisions of the Court of Session final in some cases. Thus, that ecclesiastical or consistorial causes might be left to their absolute and final determination in Scotland. Whether any bankruptcy cases should be left to the final decision of the Court of Session may deserve further consideration; and also, whether the Admiralty jurisdiction in matters of prize might not be vested exclusively in the High Court of Admiralty in England. Fourthly, it has been

suggested, moreover, that the proceedings upon appeals would be more properly conducted, with a view to the true merits of each case, if the original papers, printed on both sides for the Court of Session, were lodged with each appeal, and re-printed for the use of the House of Lords, instead of the new statements or cases, frequently containing new matter, which are now printed and delivered upon the hearing of each appeal. And fifthly, their lordships state, that some declaratory acts might be passed.

“Some branches of the business transacted in the Court of Chancery, it is conceived, could not be removed from it without great detriment to the public; whilst others might be beneficially transferred to other courts or judges.—1. Of the first sort are matters of lunacy. These employ occasionally very considerable portions of the Chancellor's time of attendance in this court; they are not matters in which the Chancellor, as such, has jurisdiction; but are committed to him by a special commission, or warrant from the crown, which may be given to any other person. The lords chancellors, have, however, been intrusted, for a very long series of years, with the care of idiots, lunatics, and persons of unsound mind, exercising on behalf of the king, as *parens patriæ*, the duty of taking care of those who are unable to take care of themselves; and the Committee think, that although this duty might, according to law, be intrusted to others, the discharge of it ought not to be withdrawn from the Chancellors, who, in their court, have long administered the affairs and property of such persons according to settled rules and doo-

trines, and with establishments of officers necessary for the despatch of business, and the security and improvement of the property of such persons.

"Amongst the measures which it may be most expedient to adopt for relieving the lord chancellor from some of the business of the Court of Chancery, are the following:—1st. Matters arising out of the execution of local and private acts of Parliament, to be referred to the 'Court of Exchequer,' instead of the 'Court of Chancery.' 2ndly. Cases on writs of error to be referred to the Courts in Westminster-hall, where the lord chancellor deemed it reasonable so to do. 3rdly. As to answers and references to the Masters. And 4thly, A revision of the orders, &c., connected with the practice of the court."

As to the most urgent part of the matters referred, their lordships state, on the subject of disposing of the present arrears, that none of those measures which have occurred to the committee can be adopted without many great inconveniencies. "Any such measure," (observed their lordships) "must necessarily have something of novelty in its character: but, being intended for obviating a temporary difficulty, it may be hoped that it will be only of temporary duration: yet even in this view, it seems to be desirable that it should accord as much as possible with established forms, and afford to the suitor as nearly as possible, the same tribunal as that to which he considered himself to have brought his appeal; or he may have just ground for complaint, that the expectation on which he appealed has been defeated.

"The appeals from all parts of

Vol. LXV.

the united kingdom, since their respective dates of union, have been to England, and it seems, therefore, unadvisable to send their adjudication to any tribunal constituted elsewhere; and the appeals from Scotland, which are by far the largest number, and give the principal occasion for any new measure of this sort, would not, as the Committee are informed, be decided any where, so much to the satisfaction of the parties as in England and in the House of Lords.

"If in the House of Lords, the hearing must be either in a Committee of the House, or in the whole House.—To the proceeding on such matters in a Committee, it has been considered as an insurmountable objection, that the report of the committee cannot bind the House; and if the whole matter is still to be open to the House upon the report, no final adjudication is obtained by this sort of tribunal. It remains that appeals must be heard in the whole House. The object, therefore of the committee has been to provide some means of hearing appeals, by which the constant and regular attendance of the lord chancellor may be dispensed with: and for this purpose, it is submitted that it may be so arranged, that a Speaker appointed by royal commission, should preside in the House, as according to the law of parliament, he occasionally does preside now in the lord chancellor's absence.

"Such Speaker, although not a lord of Parliament, to have liberty to declare his opinion upon the case, and the reasons upon which it is founded, before the question is put, as to what the judgment of the house shall be: respecting which it may be important to re-

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mark, that, according to the present standing orders of the House of Lords, the judges, and such of his majesty's privy council as are called by writ to attend, may speak and deliver their opinion, if required and admitted so to do by the House.

"It is expedient, also, that provision be made for obtaining the opinion of the Court of Session in Scotland upon any questions of law which it may be thought proper to send for the opinion of that court; such questions, and the answers thereto, to be entered on the Journals of the House. The answer of the Court of Session if unanimous, to be given by the lord president, with the reasons upon which the same is founded; and in case of any difference of opinion amongst the judges, the answers of each to be given separately, with the reasons for the same, and transmitted through the lord president."

After some suggestions as to securing the attendance during five or six days in the week, of four peers, from ten till four o'clock,

their lordships thus conclude their report:—

"These statements and observations comprehend all the matters which the committee have thought it necessary at this time to lay before the House for its consideration. They are fully aware of the magnitude, importance, and difficulty, of the various questions into which they have found it to be their duty to enter; and they submit to the wisdom of the House, that whatever may be the measures finally required for preventing the future accumulation of appeals, the further consideration of all such measures should be deferred until after such a commission as above proposed shall have made its report; but so far as regards the present arrears, the Committee have no hesitation in pressing upon the House the immediate necessity of providing some adequate means for relieving the parties, whose causes are now before it, from the heavy grievance which they are enduring by the present delay and interruption of justice."

EVIDENCE ON THE STATE OF THE PUBLIC RECORDS.

A Committee of the House of Commons, was appointed to inquire into the present mode of engrossing bills, with the view of ascertaining whether it was susceptible of any alterations with advantage to the public service. The following is a summary of the evidence on this subject:

The bills of the House of Commons are at present engrossed on parchment, and tied up in the form of rolls, which has been the practice from before the time of Henry 8th down to the present day.

Many separate skins of parchment, called presses, which are stitched together, are required to form a bill. Each press measures 27 inches by 12 inches (which has been their size for about 200 years), and contains 40 lines, composed of about 25 letters each, which makes about 1,000 letters in the skin. The cost of every press to the public is about 1s., including the labour of the clerks. The number of engrossing clerks depends on the quantity of business to be done, and the time al-

lowed for its performance. Sometimes fifty clerks are employed, and they sit up all night. It was stated, that there was no difficulty in getting engrossing hands in London. The different presses which compose a bill are stitched together by an old woman and her daughters, who have been employed for many years by the House. In order to prevent any additional sheets being furtively introduced into a bill, the number of presses in the roll are examined by the clerk of the engrossments in the House of Lords by the House bill. Of the public statutes, and the local and personal acts, and all acts having evidence clauses, which make them (being printed by the king's printer) evidence in courts of justice, a copy is made in the court-hand for chancery, which is enrolled in the Rolls-chapel, Chancery-lane. The first record in the Rolls-chapel which came from the parliament-house, is supposed to be the date of Richard 2nd, and is also written in the old court-hand, which has continued to be used in the records deposited in Chancery down to the present day. The copy deposited in the Rolls-office is copied from the printed bill, which is first compared with the original roll; but the two rolls are never compared together. The last engrossed document which goes on from the House of Commons to the House of Lords (the one from which the printed copy is taken) is kept in the Parliament office. It is to this, or to the copy in the Rolls-office, that courts and judges would refer, if the printed copy of a bill appeared to contain an error. It is, however, extremely rare that reference is made to these documents. A clerk in the engrossing office stated, that the

largest bill which had ever come under his observation, was the land-tax bill, which contained about six hundred presses, and was nine hundred feet in length, and would occupy about two hours in being unrolled! The committee put some questions to ascertain, whether the common round hand might not be employed, instead of the engrossing hand, in writing records. All the witnesses who were examined on this point were unanimous in giving the preference to the engrossing hand. It was said to be written much faster than the common hand.

Sir Thomas Edlyne Tomlins, the parliamentary counsel to the Treasury, said, "I have always found the oldest hands the most legible; the court-hand, which was the original hand for records, was, perhaps, the handsomest hand that ever was written: the present engrossing hand results from the court-hand; from a continued experience in consulting acts of parliament and records, I find it more easy to read the engrossing or the court-hand than any other written hand whatever." Mr. Gunnell, a clerk in the engrossing office, gave the following evidence respecting the mode of engrossing:—"In engrossing on parchment, we make use of a very strong quill, a turkey quill; that is the only one found to answer; it is cut with a broad point, and we have not to lean hard to form the substance of the letter; but from the breadth of the pen, it makes it as it goes on. If we were to write the common round-hand, we should be obliged to make use of the small quills, because it would require greater elasticity, and consequently would press upon the parchment; the pen on ac-

count of the rough nature of the parchment; would require nibbling every two or three minutes, which would be attended with great trouble and loss of time." The following evidence of Mr. Hewlett, a secondary of the court of Common Pleas, respecting the writing of the records of that court and the court of King's-bench, is extremely important, and calls for the interference of the proper authorities to put a stop to the bad practice which has lately obtained there:—"The records of the King's-bench and Common Pleas are kept in a wretched hand, for within the last twenty or thirty years a mercantile hand has got into use, instead of the old hand which used to be employed by all professional men; and I do really believe that some of the writing in Westminster-hall now, which has not been there twenty years, is not legible. * * * Mr. Justice Blackstone prophesied truly, that when the court-hand was left off there would be such illiterate persons introduced into the profession that the records would not be legible; and so it is now." Mr. Bailey, the clerk of the record-office in the Tower, was of opinion that the common English hand would not be good for writing records, but he thought the hand which was used in Chancery about the time of Henry 6th and Edward 4th was preferable to the engrossing-hand. Mr. Cohen, a sub-commissioner for the publication of the parliamentary records, gave some interesting evidence on this subject, of which the following is an extract:—"It has always happened that legal hands have been somewhat older than the hands of the time. What we call the ancient Gothic hand, in which the records

are written with various abbreviations, is, in fact, derived from the Roman notarial hand, and is much older in point of origin than the records themselves; and there is always a marked distinction between legal hands and what may be called monastic hands. There may be some confusion now and then, for many churchmen were lawyers; but still there is always a distinction between records and documents which may be supposed to have been written in a monastery for common readers. Lawyers, accustoming themselves to precedent, copy the forms immediately before them, rather than come down into their own time; but there is a certain degree of advantage resulting from this practice: a very slight difficulty will dispose the lawyer to consult the record itself; consequently every habit which tends to make him acquainted with the hand-writing of preceding times, will facilitate his reference to the records of preceding times." In another part of his evidence, the same gentleman observes—"I have never seen the enrolments in the Rolls-office, but I should concur in the opinion which Mr. Bailey has given in favour of a hand-writing approximating to that introduced in the reign of Edward 4th, which is very distinct from any preceding hand, or any in subsequent times." A manuscript journal of the proceedings of the House of Commons, in the common English hand, has been kept, without interruption, from the reign of Edward 6th. These manuscript journals are copied by the clerks during the vacation, and is represented to be of use in making them acquainted with the business of the house, and keeping up their hands.

During the session, they must write a good deal, with great expedition; the copying of the journals during the vacation tends to restore the regularity of their style, and puts about 20*l.* or 30*l.* in the pockets of each of them. The committee also received evidence as to the best mode of preserving the records, upon which point the witnesses were divided in their opinions, some thinking that they would be best preserved in the form of rolls, and others in that of books.

Mr. David Jones, chief engrossing clerk to the House of Commons, thought that the best mode of preserving records, was in rolls, because they were less likely to be injured than any thing having sharp edges. The leaves of parchment pucker upon every change of weather, which would, in his opinion, cause great injury in books.

Mr. Strachan, a clerk in the Chancery Rolls-office, being asked whether he saw any reason why parchments in plain books little handled, would not be as good a record as in rolls, replied, "I should think that in the way we roll them up, they are better preserved; they are rolled up so very tight that no air can get into them. If they were in books, it is likely that the air would penetrate, and books would take up almost as much room as rolls." It will be seen that these two gentlemen consider the exclusion of air an advantage; it is therefore a little surprising to find Mr. Hewlett, to whose evidence we have before referred, attribute to that very circumstance the partial decay of some records.

Mr. Hewlett says—"The mode of keeping those records (of the

King's-bench, Common Pleas, and Exchequer), and the manner in which they are bound together, has, within my experience, very frequently been found to be fatal to the record itself. When any damp has got hold of a bundle of rolls (some bundles contain 2,000), it has eaten every roll away; it has formed a sort of crescent in the rolls, so that, in fact, half of the contents of the rolls is obliterated. If they had been otherwise kept or arranged, so that they might have been opened, and the air have had communication with them, this consequence might not have happened. Parchment is a glutinous thing, and for want of air, when the damp gets to it, it actually becomes glue." The records in the court of King's-bench, containing the rolls of the court upon which all the proceedings are entered, are kept upon rolls, numbered alphabetically, and at the end of every term are tied up and put into the King's-bench treasury, where they have been kept, and have been so from the earliest periods. Mr. Hewlett stated, that the most important records of the court of Chancery, namely, the decrees, are kept bound in immensely large books, and written on paper. The decrees in the court of Exchequer and the records at Doctors' Commons are kept in the same manner. Mr. Hewlett considered the mode of keeping records in books as preferable to that of rolls. In a book it would be easy to turn at once to the particular part of the record which it might be necessary to examine; but perhaps some hundred yards of parchment must be unrolled before one would be able to see what was wanted in a roll. Mr. Caley, keeper of records in the Chapter-house, Westminster, preferred the system

of keeping records in books rather than in rolls. Being asked whether there would be more danger of losing leaves of books than of losing part of a roll, he answered, "I do not think there is any great danger of that; I have frequently observed the threading of the rolls give way, and I have found half of a roll at one end of the office, and some time afterwards the other half at the other end." This evidence again is opposed to that of Mr. Bailey, who says, "For security, I think the roll would be preferable; but for facility of reference, I think the book is preferable. You are liable to lose part of a book, when you cannot of a roll; you may have a leaf torn out of a book, supposing it was for the advantage of the party to destroy the record; but they could not take a part of a roll." Being reminded of what Mr. Hewlett had said, respecting the injury arising from damp in rolls, he observed, "There is the same likelihood in regard to a book; and, besides, it would be more liable to damp, particularly if it were bound. Mr. Hewlett recommended binding in boards; but that would subject them to worms. I have books, in boards, which have introduced the worms: I would rather use a strong pasteboard, in which there are various substances which a worm could not get into." He added, that he thought it almost impossible to carry away a roll clandestinely. To show, however, that this feat was not so difficult as Mr. Bailey seemed to imagine, Mr. Hewlett related the following anecdote to the committee:—The master of Christ's-hospital once came to me in the Prothonotary's office, in the Temple, with a very large roll, and said that his tailor's

boy had bought it of a man in the street for 4d.; the tailor was about to cut it up for measures, when he (the master) saw it; and not being able to read the hand, brought it to me to know what it was. It turned out to be an escheator's roll, stolen out of the office, of very large bulk indeed." Thus much respecting the mode of keeping the records. A large portion of the evidence relates to the ink and parchment at present employed in the public offices. It appears that the ink has been deteriorating from the period of Henry 8th, and that it is now extremely bad. But it really appears that sufficient pains are not taken to procure the best that could be had: for instance, it was stated in evidence that very good ink used to be furnished to some of the public offices by an old man, who had lately died and left a wife and family. It is very natural to suppose that this man imparted the secret of the manufacture of this ink to his family. The committee, therefore, asked one of the witnesses, who appeared to have employed the old man, whether his family knew how to make the ink; the answer was, "I never inquired." And this, indeed, is the fact. The ink is now supplied to all the public offices and the Houses of Parliament, by the Stationery office. Mr. Caley in his evidence said—"I understand there is now a carelessness about the use of ink (in the public offices), and consequently documents up to a hundred years ago cannot be read so well as those of an earlier date." Mr. Caley considers the ink used in the time of Elizabeth extremely bad; the parliamentary rolls of that date are much faded. Some of George 3rd's have faded already. Mr.

Bailey said—"The ink has been of a glutinous nature, which peels off, from the time of Henry 8th. As to the earlier records a piece of parchment might be put into water, and left for two or three days, and it would not be injured: that has been tried. For several years there have been attempts made to wash them with soap and water; it has not had the least effect, but the ink remains brighter and firmer than it was. There was more iron used in the ink in former times than there is now, which has eaten more firmly into the substance." Mr. Hewlett attributed the fading of the ink in some degree to the bad quality of the parchment now used: "It is," he observed, "spongy, oily, greasy, and not sufficiently dressed in my opinion, we do not find that in ancient times; we find the parchment as smooth and as capable of taking writing as it can be. The parchment of ancient times is much thinner than it is now; I have seen it almost as fine as paper, and yet good parchment." He added, that

he did not think sufficient care was taken to procure good parchment for the records; he thought that good stout paper would be better than the parchment now used.

Mr. Cohen thought that the badness of the parchment was occasioned by there being put on it too much calcareous matter, to give it what was called a face. He had observed in modern books printed on vellum, that some preparation of lime had been put on the skin to make them look handsome. The ink in consequence looks black at first, but after a time it scales off. But bad as the parchment is, Mr. Cohen said he should prefer it to the best paper. There are some paper bills preserved in the parliament office; the earliest are of the date of 1600; the paper is very brown, but the writing is legible. The rapid fading of the ink employed in writing public records is a matter which ought to attract the most serious attention of those whose duty it is to endeavour to obviate the mischief.

ABSTRACT of the REPORT of the COMMISSIONERS of INQUIRY on the State of AGRICULTURE and TRADE in NEW SOUTH WALES and VAN DIEMAN'S LAND.

The "Report of the Commissioners of Inquiry on the State of Agriculture and Trade in the Colony of New South Wales," was ordered by the House of Commons to be printed on 13th March, 1823, and is numbered 186 among the parliamentary papers of the present year. The report is prefaced by Mr. John Thomas Bigge (who some time back reported upon the laws and judicial establishment of this colony), and is addressed to Earl Bathurst.

1. "Of the State of Agriculture, and Regulations for Granting Lands in New South Wales and Van Dieman's Land." This portion of the report sets out with assigning the limits of the counties named Cumberland, Argyle, and Camden. The first of these includes part of the Cow-pastures, and is watered by the two rivers, the Hawkesbury and the Nepean, of which the former empties itself into Broker-bay. The country lying between Shoal-harbour river

and the Nepean, and extending inland to the river Warragumba, has received the appellation of Camden County, and takes in the larger part of the Cow-pastures, the hills of Nattai, and the Bargo tract. Argyle joins Camden on the south-west, and its other boundaries are defined by rivers which are thus oddly denominated—the Wingee, Caribbee, Shoal Haven, Cockbun-don, and Wallondilly. Cumberland, which is about 53 miles in length, and 46 in breadth (measuring the breadth from the sea to the base of the Blue Mountains), has been divided into 31 districts. These comprehend the principal town, Sydney, and the towns of Paramatta, Windsor, and Liverpool, and the townships of Richmond, Castlereagh, and Campbell town. The geological aspect of this county must be singular; for it is described as presenting from the coast inland a succession of ridges of stratified sand-stone, gradually decreasing in height until they are lost at some distance from the shore, under the soil, which is itself nothing more than a thin decomposition of sand-stone, strongly coloured with iron. The external appearance of the coast and the adjacent country is extremely steril and forbidding; and, excepting on the spot memorable for the first landing of captain Cook and sir Joseph Banks, the natural grasses of the country are poor, stunted and meagre. But in the interior of the country, the soil is thin and light, lying on a red, yellow, or blue clay, resting upon a substratum of slate, which, as well as the clay, is aluminous. It is generally called forest land, and is more fertile in proportion to the hilliness of the country. The alluvial land of Cumberland is distinguished by

“its depth and inexhaustible fertility.” Land of this kind lies on both sides of the Nepean and Hawkesbury Rivers. West of Paramatta, there is a tract, forming the base of a hill called Prospect-hill, and consisting of a deep red loam, resting upon whinstone, which is most remarkable for its fertility. Limestone, though it has not yet been quarried, is very generally diffused over this county; the great physical defect of which is its want of water. Between the sea-coast and the Nepean, there have been found hardly any natural springs; and from the slight elevation of the country, the tides flow to a very considerable distance up all the rivers, rendering the waters brackish and unserviceable, during the summer season, both at Liverpool and Paramatta. In the same season, the various rivulets are nearly dry; but their beds being very broken, the water lodges in deep hollows, forming chains of natural ponds, the contents of which are much affected by the aluminous nature of the soil. The water found by penetrating the stratified sand-stone is generally free from this taint. Camden contains “the extensive tracts known by the name of the Cow-pastures; to which five of the cattle that were landed from his majesty’s ship *Sirius*, soon after the arrival of governor Phillips, had strayed from their place of confinement. They were discovered in these tracts in the year 1795 by a convict; and appeared to have been attracted to the spot, and to have continued there, from the superior quality of the herbage. Since that period, their numbers have been greatly increased; and they have lately occupied the hilly ranges by which the Cow-pastures are backed on

the south, and have been found in the deeper ravines of the hills of Nattai, and on the banks of the Bargo River. It does not appear, however, that they have ever penetrated beyond the Blue Mountains, or the barren tract called the Bargo Brush. The Cow-pastures extend northwards from the river Bargo, to the junction of the rivers Warragumba and Nepean. To the west they are bounded by some of the branches of the latter river, and the hills of the Nattai. They contain, by computation, about 60,000 acres; the soil, though varying in fertility, but always deepening and improving on the banks and margin of the Nepean, consists of a light sandy loam, resting upon a substratum of clay."

It is impossible to peruse this passage, without being struck by the apparently humble and inadequate origin of those numerous herds of cattle, which are destined to form a principal part of the subsistence of a people, as new to these immense regions as their own race: for New Holland furnishes a striking exception, in the paucity of its quadrupeds, to that general rule which nature seems to have prescribed to herself—that where the soil and the climate are favourable to the production of food, the production of animals is in proportion. The report proceeds to describe the general character of the soil of Camden county, in other parts; particularly of Illawarra; where it is said to be rich and alluvial, and tolerably well supplied with water. In 1821, there remained 10,000 acres; only, ungranted in this district. The county of Westmorland designates the tracts that have been discovered and occupied to the west of the Blue Mountains, including the settle-

ment at Bathurst: but at the date of the report, no boundaries were settled as to this county. The county of Argyle appears to be, for the most part, favoured "by peculiar fertility and richness. It is a deep red loam, bearing a thick and vigorous vegetation of the natural grasses of the colony, and abundance of the shrub called the *Daviesia* and the wild indigo." The trees here are of large dimensions, and there are open spaces of forest, on the same rich soil. This tract, called Sutton Forest, contains about 15,000 acres of fertile land. Eden Forest, lying between the Cockbundon and Wallondilly rivers, contains also 15,000 acres, and is said to be not more wooded than is barely sufficient for shelter and ornament to the land. Goulburn Plains, extending from the Cockbundon range of hills, 10 miles south-west, includes a space of 35,000 acres; and still further to the south-west are the Bredalbane Plains, an open tract of flat land. But these plains, though not encumbered with wood, have a poor and swampy soil, saturated with water in the winter season, and bearing a very coarse and tufted grass. Between this tract and Bathurst lake, the country becomes more hilly and woody, and the swamps more extensive. "The circumference of Bathurst lake is about 12 miles; and Mr. Mechan, the Deputy Surveyor-General, who had visited it for the first time in the year 1818, was of opinion that it had much increased in size in the interval. Several trees and shrubs on the margin of the lake appeared to have been very lately surrounded with water." Between lake Bathurst and lake George, the land is covered with stunted trees and rocks of various kinds—granite,

quartz, and slate. Lake George is nearly 18 miles long, and from five to seven broad. Dead trees* were observed in it at a considerable distance from its present shores: and though only discovered in the month of August preceding the report, its waters were thought to have considerably expanded since that time. The waters were very soft, though turbid, which disproved the representation that had been made, that they were salt. No stream or current could be detected in the lake; but the natives had some tradition that an outlet was to be found, which would communicate with the sea. This was not discovered by Mr. Bigge. The lake was bounded by a table chain of rocky hills, elevated from 800 to 1,500 feet above its surface; and lieutenant Johnson, in examining the east coast of New Holland, discovered some time since a river which may be found to communicate with this ridge. The reporter then describes the country which he saw between the Cowpastures and Bathurst. This is clothed with very stunted shrubs, for the most part; and he no longer met with the straight and lofty Eucalyptus (the stringy bark) which he had seen all over the Bargo Brush. The following is a pleasing description enough, and we select it, because it includes a notice of Bathurst plains, certainly the most eligible spot which has been yet "taken up," as the

settlers say, for a settlement:—
 "After passing the valleys watered by Cox's river, and the fish river, and a range of dry and sterile hills, called 'Clarence's Hilly Range,' the road from the blue mountains leads through Sidmouth valleys, that are well watered and covered with good herbage growing in tufts upon a soil of loose disintegrated granite. The surface of the country slopes gently to the west; and from an eminence that is a little beyond the Sidmouth valleys, a very fine and extensive view is obtained of the open country, in the centre of which are the Bathurst plains, and various broad and rich valleys stretching to the north and south of the plain that is watered by the Macquarrie river. Before it reaches Bathurst, this stream is joined by the Campbell river, on the banks of which there is some rich grazing land, opening into extensive plains, called Mitchell's and O'Connell's plains. The elevation of the country on the west side of the Blue Mountains is strongly marked by the rapidity and fulness of the streams of water; they abound in every direction, and generally terminate in the river Macquarrie; which, even at Bathurst, is deep, clear, and full. The soil on the points and bends of the river is generally alluvial. The hills, which on the north side are gently elevated above the level of the river, are perfectly clear of timber, and are covered with a dry gravelly loam, intermixed with a coarse granite sand. This soil is not naturally fertile, but it is dry and favourable to sheep. The extent of land denominated Bathurst plains, and that is clear of timber, comprises nearly 40,000 acres. The hills on the south side of the river

* These are curious facts, and seem to suggest the cause of that submersion of whole woods, which the beds of lakes in Ireland, the Isle of Man, and in North America, so frequently attest. Trees of enormous bulk are often found also beneath the surfaces of swamps and marshes, more or less covered with water, and for many ages past totally destitute of even a shrub.

Macquarrie are more elevated, broken, and stony; but covered with good grass and with fertile soil towards the summits. The valleys, that are distinguished by the name of Queen Charlotte and Princess Charlotte, are remarkable for their beautiful verdure and expanse." Limestone in a very pure state had been lately found in this neighbourhood. The last expeditions of Mr. Oxley and others into the interior of New Holland, had established "the extraordinary fact of two or more tributary streams" (i. e. to the rivers M'Lachlan and Macquarrie) "taking their source in the highest ridges of the Blue Mountains, within 50 miles from the sea-coast, and of their being lost at a distance of 300 miles in an opposite direction, by a diffusion over an immense portion of the surface of the interior. A future and more accurate examination of lakes George and Bathurst, and of the existence of any outlet to their waters, together with a further examination of the eastern coast towards Bass's Straits, will establish the continuance of that long dividing range of elevated mountains by which the current of the waters seems to be determined to the county of Cumberland, and the sea on the east, and to the interior of New Holland on the west." By the muster of 1820, the total amount of land held in New South Wales appeared to be more than 389,000 acres; and of these 54,898 acres were returned as cleared. The new districts beyond the line of the Bargo river on the south, and Hunter's river on the north, are not included in this statement. There were in wheat 16,706 acres, maize 11,270, barley, 1,230, rye, and oats 379,

peas and beans 213, potatoes 504, orchard and garden ground 1,094. By a comparison of the musters of 1810 and 1820, it seems that in the former year the proportion of land cleared, to land held, was as one and a half to four; in the latter, as one and one-tenth to seven. "The districts of Windsor, Richmond, and Wilberforce, returned 16,856 acres of cleared land in the year 1820, of which 10,000 were either in wheat or maize." Next after these, the districts of Evan, Airds, and Appin, produce most wheat and maize. The wheat of Appin, Airds, and Bringelly districts, and generally of the good hilly land, is superior both in weight and quality to the wheat produced in the flat lands of the Hawkesbury." The settlers on these lands are much annoyed by the inundations of the river, which are attributable to the great elevation of the sources of those rivers, whose streams are added to the Hawkesbury and the Nepean, as well as to the impulse they receive in the narrow and rocky channels through which they descend. After rapidly filling the bed of the Hawkesbury, "they discharge themselves over the flat lands in the neighbourhood of Windsor, Richmond and Wilberforce. They bring with them and leave a rich alluvial deposit, and a great abundance of weeds and vegetable matter, which create the necessity of additional labour in clearing the lands that in the month of March are generally prepared for the reception of wheat, or are covered with maize in its ripened state. The losses, therefore, that are sustained from these inundations, both in labour and grain, are very considerable."*

* When the fatness of the surround-

There is much interesting detail in subsequent parts of this division of the report, as to the rent and produce of lands, the price of that produce, of agricultural stock, labour, &c., the state of farming, building, &c. Horses and cattle of all descriptions are represented as thriving extraordinary well, though badly tended; and, near the Hawkesbury, confined to small pastures. The estates that are best cultivated and improved, are those of Mr. Oxley, the Surveyor-general; Mr. Cox, sir John Ja-

ing country, the richness of this alluvial deposit, and the great heat of the summer season in this part of New Holland, are considered, surely we are warranted in supposing that it would require but a very small exertion of human industry to convert the source of apparent mischief into an annual dispensation of fertility and plenty. By the exercise of a moderate degree of skill in the practice of irrigation, and the application of a little labour to the purposes of damming and embanking, the Hawkesbury might be converted into another Nile, and made to carry in its course, not terror and destruction, but the means of wealth and happiness. We say a "little" labour, because, in every direction, sand-stone abounds, and nowhere more than about the banks of the river. Could convict-labour be more usefully employed, than in drawing stone to those places at which the waters find their greatest outlet? Little or no masonry is requisite to these primary operations of agriculture in an infant colony: and it is therefore astonishing, that when the object is at once so important and so practicable, its attainment should be so long deferred. All through this report we remark an extraordinary backwardness in the Colonial Government to apply convict-labour to the execution of public works; and in justice to Mr. Bigge, we must add, that he himself, in several places, earnestly presses on lord Bathurst, the propriety of employing men of this description in the erection of bridges and roads; the improvement of mountainous passes, &c.

mison, Mr. Hannibal M'Arthur; Mr. Redfern, Mr. John M'Arthur, Mr. Thoresby, and Mr. Howe. Near Bathurst, Mr. Cox has a fine flock of sheep, amounting to 5,000 head, and large herds of cattle. Twenty-four flocks, ten of which belonged to that gentleman, were distributed over Bathurst plains, and the adjoining valleys; and in November, 1819, had increased to the number of 11,000. At Bathurst the sheep are not found to require covering even in winter, though it is here much colder than on the east side of the Blue Mountains. Between the years 1810 and 1820, the number of horned cattle in New South Wales was quintupled. In the latter year it was 54,103. The climate and natural pasturage of New South Wales are highly favourable to the production, growth, and improvement of horned cattle: but the increase of sheep has not kept pace with that of the cattle. The sheep in this colony, according to the muster of September, 1820, amounted to 99,487; showing an increase in a triple ratio only, within the same period of ten years. The general breed in the colony is an admixture of the Cape of Good Hope and English breeds: but Mr. John M'Arthur has flocks of pure Merino's. The astonishing perseverance and success of this gentleman in improving his sheep, and the enormous prices which his wools fetch in the European markets, are universally known. The number of horses in the colony in the year 1820, was 3,639. They are derived from those of Bengal, having an admixture of the Arabian blood, and might be improved by importations of the stronger races of our English horses, as Mr. Bigge thinks. The wheat of

New South Wales has in some seasons suffered very much from insects; particularly from one that is peculiar to the climate, and called the fly-moth. The weevil also is an extensive depredator on all grains raised in the colony: but the greatest enemy with which the produce has to contend appears to be, either the mismanagement of the settlers in stacking and garnering it, or the defective condition of all their farm-buildings. In 1820, the colony had seventy carpenters, fifty-five sawyers, forty-three blacksmiths, and seventeen brickmakers, for its complement of mechanics, either free, or holding tickets of leave, independent of some others assigned as convict-servants to individuals, or retained in the public works.

The settlement at Van Dieman's Land is divided into two counties: one, called Buckinghamshire, extending from the south coast of the island, to the 42nd degree of south latitude; the other called Cornwall, extending from the same dividing land, to the north coast. In Buckinghamshire, the most cultivated tracts lie on the shores of the Derwent river, of North Bay, and of an arm of the sea called Pitt Water, ascending from the shores of the harbour to Hobart Town (the principal town), a narrow line of sloping land, forming the base of the hills on the Western shore, is in cultivation. The soil is in many places a rich and sandy loam. The farms are small and badly managed; most of them having been settled in 1802 and 1803, by discharged marines. "It is on the tract of land called Clarence's Plains, and more especially in the district of Pitt Water, and the Coal River, that the pre-eminent fertility of the soil of Van Dieman's Land is

exhibited." The timber is large and handsome, yet scarcely sufficient. The farms extensive, and some of them very comfortable and improved. The land produces wheat, barley, and potatoes. The wheat is thought superior to that of New South Wales: barley has not thriven so well; this grain, and oats, have not yet, however, been fairly tried. Potatoes grown on the lighter soils are fully equal to those of English growth, and yield abundant returns. The produce of wheat is about 24 bushels per acre: and if the cultivation were conducted with any degree of skill, would be vastly greater. The settlers in Pitt Water district find much advantage from their contiguity to the sea, and easy access thereby, to the markets of Hobart Town. In the county of Cornwall, the cultivated districts are confined to the banks of the south and north Esk Rivers, which fall into the River Tamer at Launceston. The soil in one of the valleys, watered by the north Esk, and called Patterson's Plains, is a light and rich loamy deposit; bearing good and continued crops, even in the worst state of cultivation. The rivers are full, clear, and rapid even in summer. The country between the South Esk and Patterson's Plains comprises beautiful tracts of land, gracefully undulated and covered with luxuriant herbage; but their value is much diminished by the want of water. In 1820, the total quantity of land cultivated in Buckinghamshire amounted to 6,293 acres; in Cornwall, to 2,982. The grain is larger and heavier than that of New South Wales, and not liable to the ravages of the fly-moth or the weevil. The seasons are more regular, and the soil more easily cul-

tivated. The breed of all cattle is, for the most part, the same as that of the cattle in New South Wales. The number of horned cattle returned in all Van Dieman's Land, in 1820, was 28,838; of sheep, as follows:—In 1818, 127,883; 1819, 172,128; 1820, 182,468; but these numbers are very probably exaggerated, by delusive statements given in to the lieutenant-governor by the settlers themselves, in order that they may have the privilege of furnishing a proportionable supply to the king's store, where meat is purchased at a rate varying according to the amount of the supply, but, from time to time, settled by the governor. The sheep are generally of very improved breeds. The method of cultivation, in this settlement, is, on the whole, inferior to that of New South Wales; but Van Dieman's Land will, in all times, raise the larger proportion of wheat; and New South Wales, that of maize.

2. Under the head of "Regulations respecting Grants of Lands and allotments in towns," it is stated, that the number of acres, for

Fifty persons bringing out capitals amounting to	
£.500,	there should be granted 500 acres.
750	640
1,000	800
1,500	1,000
1,700	1,280
2,000	1,500
2,500	1,760
3,000	2,000 acres;

and in cases of larger capital than 3,000L., permission to purchase of government, to an extent not exceeding three times their original grant. The whole of this part of the report is minute, clear, and explicit. It then proceeds to treat of—

which grants have been regularly passed and entered in the office of the colonial secretary, was, at the date of the report, in New South Wales, 324,251; in Van Dieman's Land, 57,423. The grants to Mr. M'Arthur, Mr. Cox, Mr. Oxley, and other gentlemen, seem to have been very properly extended, at various periods, in proportion to the increase and improvement of their produce and their stock; and the good condition of their former lands. Out of every grant it is now proposed to reserve some portion of lands for the government, with a view to public improvements; for the clergy, for the erection of churches, and the provision of glebes; and for public schools. Besides these objects, the disposal of lands to convicts, whose terms of transportation or service expire, or whose good conduct may make them free before those periods, is also to be provided for. Mr. Oxley recommends, that the following scale should be observed in all future grants, to free settlers, or individuals coming from Great Britain with capitals, namely—

3. "The state of the trade of the settlements of New South Wales and Van Dieman's Land;" a subject of too great extent, interest, and moment, to allow of our saying more of it in this place, than that the statement is altogether a satisfactory and a promising one.

4. "The state of the ecclesiastical establishments, which in New South Wales in 1820 consisted of a senior chaplain of Paramatta, two chaplains at Sydney, one at Windsor, one at Castlereagh, one at Liverpool, and one in the district of Airds. In Van Dieman's Land, of one chaplain at Hobart's-town, and one at Launceston. The church at Sydney, called St. Philip's, will not accommodate, in summer, above 800 persons. The new church of St. James was nearly covered in in 1820, and must soon after have been in a state to admit the attendance of convicts; and the gallery of St. Philip's church would then be capable of receiving part of the free population. The church at Paramatta, built of stone, was the first that was finished in the colony, and holds about 400 persons. Two new churches have been lately finished at Windsor and Liverpool; and a school-house at Castlereagh. The Roman Catholic and Wesleyan Methodists were about to build chapels at Sydney, Paramatta, and Windsor. In Hobart's-town, a new church was finished in 1820. Schools seem to be increasing in both the colony and the settlement.

The next (5th) division of the report regards "The state and character of the population." The state and character of such a population, under the circumstances of the colony, our readers will easily figure to themselves, as being of a very mixed and various description, from the free settler, or colonist,

to the convict, in the various gradations in which good or bad conduct, subsequently to transportation, may have placed him. The muster of Van Dieman's Land is much better kept than that of New South Wales. It appeared, that the total number of inhabitants in New South Wales, in the year 1820, was 23,939, of whom 1,307 persons had come thither free; 1,495 had been born in the colony; 159 had been absolutely, and 962 conditionally, pardoned; 3,255 were free by servitude and expiration of sentence; 1,422 held tickets of leave; 9,451 were convicts; 5,668 were children; and 220 were serving on board colonial vessels. In Van Dieman's Land, same year, the total population was 5,468 persons, of whom 714 came free; 185 were born in it; 362 were free by servitude and expiration of sentence; 23 held free pardons, and 208 conditional ones; 308 held tickets of leave; and 2,588 were convicts. The number of children of both sexes, 1,020. In New South Wales, there were 3,707 women, 2,603 female children. In Van Dieman's Land, the women were 880.

Under the head (6) of "state of the revenue in New South Wales and Van Dieman's Land," it appears that for New South Wales, the amount of duties received by the officer, from the 1st of October, 1817, to the 31st of December, 1820, was 81,748*l.* 3*s.* 11*d.* In the year ending 31st of December, 1820, it was as follows:—

Duties collected on wine, spirits, tobacco, foreign goods, auctions, and south-head lights	£.30,550 14 6
Spirit, beer, and brewing licences	1,527 10 0
Paramatta, Liverpool, and western road toll	569 0 0
Duties on slaughtering cattle at Sydney	418 0 10

80* ANNUAL REGISTER, 1823.

Market duties at Sydney	357 0 0
Ditto at Paramatta	37 10 0
One hawker's license	20 0 0

£. 33,479 15 4

In Hobart's-town, Van Dieman's Land, the duties collected amounted

In 1816 to	£2,877 10 0
1817	4,819 3 1
1818	5,305 5 4
1819	7,250 15 6

7. The average "yearly expenditure" out of the parliamentary estimate for salaries to public officers and servants is about 8,600*l.* and out of the police fund of the colony (which is also charged with a great variety of civil expenses), about 9,800*l.* It is to this fund that the greater part of the produce of the imposts and tolls is paid over. In Van Dieman's Land

the first of these expenditures averages about 2,900*l.*, and the second 2,100*l.* Some slight increase is recommended by Mr. Bigge in the salaries of the public officers and servants.

8. The document concludes with an account of the medical establishments in New South Wales and Van Dieman's Land.

EXTRACTS from the SEVENTEENTH REPORT of the AFRICAN INSTITUTION.

In detailing to the subscribers the circumstances which have occurred relative to the slave trade, and the measures which have been adopted for its further suppression during the last year, the directors are naturally led to commence their report with an account of the negotiations which took place upon that subject in the Congress at Verona.

At a conference of the plenipotentiaries of Austria, France, Great Britain, Prussia and Russia, held at Verona on the 24th of November last, on the subject of the deplorable continuance of this mischief, in spite of the declarations, the laws, and the treaties which have interdicted and condemned it since the year 1815, the duke of Wellington brought forward a

memoir containing observations as to what he considered to be the causes of the evil, and pointed out different measures calculated to put an end to it.

In this memoir, after adverting to the declaration of the Congress of Vienna in 1815, signed by the ministers of the eight consenting powers, and denouncing the slave trade as "a scourge which has long desolated Africa, degraded Europe, and afflicted humanity," and to the expression of their unanimous desire to put an end to it; and having stated that, of those eight powers, seven have passed laws with the object of entirely preventing the subjects of their several states from engaging therein; the duke proceeds to observe, that he has the means of proving

that this traffic has been, since the year 1815, and is at this moment, carried on to a greater extent than it had been at any former period; that in seven months of the year 1821, not less than 38,000 human beings had been carried off from the coast of Africa into hopeless and irremediable slavery; and that not less than 352 vessels entered the rivers and ports of Africa, north of the Equator, to purchase slaves, between July, 1820, and October, 1821, each of which was calculated to carry off from five to six hundred slaves.

He further states, that the traffic does not assume the usual secrecy of a contraband trade, but is carried on generally under the protection of the flag of France; for this obvious reason—that France is the only one of the great maritime powers of Europe, whose government has not entered into the treaties, which have been concluded with his Britannic majesty, for giving to certain of the ships of each of the contracting parties, a limited power of search and capture of ships engaged in this traffic; and that those employed in this service have too much respect for the French flag, to venture, except in cases of extraordinary suspicion, to search the vessels which sail under its protection. “The consequence of this state of things,” it is remarked in the memoir, “is, that this contraband trade is attended by circumstances much more horrible, than any thing that has been known in former times. It is unnecessary here to enumerate all the horrors respecting it which have come before the public in the different discussions which have taken place, as well in France as in England; but it cannot be denied, that all attempts at prevention,

imperfect as they have been found to be, have tended to increase the aggregate of human sufferings, and the waste of human life, in the transport of slaves from the coast of Africa to the colonies, in a ratio far exceeding the increase of positive numbers carried off in slavery. The dread of detection suggests expedients of concealment, productive of the most dreadful sufferings to a cargo, with respect to which it hardly ever seems to occur to its remorseless owners that it consists of sentient beings.

“The numbers put on board in each venture are far from being proportioned to the proper capacity of the vessel; and the mortality is frightful to a degree unknown, since the attention of mankind was first drawn to the horrors of this traffic.”

And again—

“This contraband trade is, in many, too many, instances, carried on in vessels fitted out in France, and commanded and manned by Frenchmen.

“It is a known fact, that, although the profits of a voyage, of which two, or even three, may be made in the year, are three hundred per cent, the risks are so small, the chances of detection, so as to become liable to the punishment which the French law inflicts upon conviction, so few, and so little is that punishment commensurate with the offence, even after conviction, that the insurance upon each voyage is not more than 15 per cent.”

The memoir goes on to observe, that the traffic is at present obviously carried on to the northward of the Equator, solely by contraband, and in a considerable degree by a fraudulent use of the French flag.

It then recommends to the Allied powers the measures already alluded to, as likely to have the effect of checking, if not entirely repressing the slave trade, and goes on to say—

"That by Portugal and the Brazils the trade ought to be carried on only to the south of the Equator; but it is notorious that the governors and officers of the Portuguese settlements on the coast of Africa north of the Equator encourage the trade, and assist by every means in their power the slave traders, who resort, contrary to treaty and to law, to that part of the coast.

"These traders, when likely to be detected with slaves on board, show the French flag, and thus escape the penalties which the law would inflict upon them.

"That it may therefore be expedient to join with his majesty in entreating the king of France to adopt some of those measures for putting down the slave trade, which had been found effectual in other countries.

"The measures which depend upon the French government, independently of the legislature, are,

"1st, The establishment in the colonies of a strict registry of slaves, whereby to ascertain at all times, whether any newly imported slaves have been purchased on any plantation. The effect of this measure would not be confined to the check it would give to the importation of slaves; it would manifest, in a still stronger degree, the determination of the king to put an end to the traffic; and it would stimulate the governors and officers to attend to the strict execution of the laws on the subject.

"It must be observed, that the measure was suggested at the

recent Congress of Aix-la-Chapelle; by the late minister of France, but has not yet been prescribed by any ordinance.

"2nd, That the king of France should encourage the capture of slave-ships, fraudulently carrying on a contraband trade under the French flag, by the grant of the vessel and equipments, in the way of prize, to the captors, and of head-money for the negroes captured.

"This measure would have the same effect in stimulating to the performance of their duty, those charged with the task of putting down this trade, by showing them his majesty's continued determination that it should be put down.

"The French government might then propose to the legislature, that the law might be improved, and its severities against persons engaged in carrying on the slave trade be increased.

"Those improvements might be, first, to make the proof of slave-trading consist, not only in having slaves on board, but in having on board those means of coercion, and that description of equipment and fitting up of the vessel, which is known to be necessary for a vessel so employed, and for no other.

"The penalties of the law might be increased to '*peines infamantes*,' which, with the forfeiture of the ship and cargo, and the more active check upon the trade, might, it may be hoped, put an end to it entirely in France."

To this memoir the Austrian minister replied, in virtue of orders from the emperor, that his majesty was ready "to unite in a renewed general declaration, announcing the inviolable intention of the Powers to put an end to the slave trade—

"To take a part in the measures by which the maritime powers, who have abolished the traffic, might be induced to concert among themselves in order to declare it piracy—

"To withdraw the use and protection of the Austrian flag from individuals born out of the Austrian territory (if such should exist); who should avail themselves of that flag to cover a commerce in slaves."

With respect to such of the measures proposed as regard particularly the French government, the emperor of Austria reserved to himself to cause them to be supported by his minister at Paris, in such form as might be judged expedient.

The answer of the plenipotentiaries of France, after the introduction of much palliative matter, and an attempt to explain why public opinion in France is less favourable than in England to the adoption of measures calculated for the further suppression of the slave trade, adverts to the coercive measures proposed by the duke of Wellington in the following manner:

The French ministers state their readiness "to sign any declaration collectively with the other powers, tending to put down this odious commerce, and to inflict upon the guilty the vengeance of the laws. But a declaration, which would oblige every government to apply to the slave trade the punishment inflicted upon piracy, and which would convert it into a general law for the civilized world, is a thing which does not appear to them to be within the competency of political conference. When the punishment of death is in question, it is the judicial or legislative bodies, according to the particular

forms of government, that are called upon to enact it. Nothing is more just, than to withdraw the protection of the French flag from foreigners who might use it to cover the traffic in slaves; but France has no occasion to prohibit that which she has never permitted.

"The engagement to prohibit the importation into the states of the Allied Powers, of colonial produce, belonging to the states which should not have abolished the slave trade; is a measure which would only affect Portugal; and she having no representative at Congress, it is but an act of justice to pause and allow her to be heard in her own cause.

"The measures indicated with regard to France are limited; but they are all matter of law, and consequently they ought to wait the approbation of public opinion to ensure their success.

"The French government will take them into their consideration, when the time for doing so shall have arrived: it may possibly permit the registration of slaves; but it cannot disguise its opinion that such an interference of authority would be a violation of the right of property,—a right sacred above all others; and which the laws of Great Britain respect," say the French ministers, "even in its extravagancies and caprices."

The memorandum of the British government expresses regret "that France should be the only power amongst the great maritime states of Europe, whose government has not entered into the treaties which have been concluded with his Britannic majesty, for giving to certain of the ships of each of the contracting parties a limited power of search and capture of ships engaged in the slave trade.

"The French constitution," say its ministers, "abolishes confiscation; with regard to the right of search, if the French government could ever consent to it, it would have the most disastrous consequences. The national character of the two people, French and English, forbids it; and if proofs were necessary to support this opinion, it would suffice to call to mind, that, even in this year, in profound peace, French blood has flowed on the coasts of Africa. France acknowledges the liberty of the seas to all foreign flags, to whatever legitimate power they may belong: she only demands for herself that independence which she respects in others, and which belongs to her own dignity."

The answer of the Prussian plenipotentiaries shortly remarks, that the king of Prussia continues invariably faithful to the principle of humanity which induced the powers who signed the act of the Congress of Vienna to decree the abolition of the slave trade; and that they are fully authorized to concur in any fresh declaration which the Allied Courts deem necessary in order to manifest anew their sentiments on this head; but that, with respect to the political and legislative measures which the British government may consider the best adapted to correct the abuses complained of, they can only take such a proposition *ad referendum*; and they declare their opinion, that previously to deciding upon what the English government requires from France, it would be expedient to wait for the explanations which the French plenipotentiaries were about to give on the subject.

The Russian plenipotentiaries answer the duke of Wellington's

memorandum, by assuring the British government that it may confidently rely upon the readiness of the emperor of Russia to second its renewed efforts to accomplish the total abolition of the slave-trade.

"Amongst the measures proposed to this effect," they observe, "there are some, in which Russia is immediately concerned, and respecting which the plenipotentiaries will now state his imperial majesty's opinion.

"There are others which affect more particularly his majesty's allies.

"Amongst the first should be classed the project of a declaration announcing to Europe, that all the powers continue in the firm resolution to prevent this culpable traffic, wherever cupidity still dares to prosecute it.

"The Russian plenipotentiaries have orders to sign such a declaration. It will be with the highest satisfaction that the emperor will furnish this guarantee of the perseverance with which he seeks to fulfil the engagements he has contracted; and his majesty is ready at the same time to make known, in concert with his allies, that he will never suffer individuals born out of his territories to adopt his flag and abuse the protection it would afford them in order to cover a commerce in slaves.

"The proposition of interdicting trade in colonial produce with states who should refuse to abolish the slave trade, also forms part of the measures in which the Emperor is more particularly concerned.

"In admitting the necessity of having recourse to efficacious measures with regard to those states, his majesty thinks that, if the allied cabinets were to confine them-

selves to adopting the determination pointed out by the cabinet of London, they would still be far from obtaining the object which they have in view; and that a general suspension of all commerce whatever, with the only power which has not hitherto forbidden the slave trade to the north of the Line, would tend much more promptly to the desired result.

"However prejudicial to the interests of Russia, the interruption of commercial relations established for so long a series of years between her and Portugal might be, if the allies of his imperial majesty were to consent to adopt this measure, the emperor would not hesitate to impose on himself the same sacrifice; but it appears to him that it would in any case be right, previously to apprise the Court of Lisbon of the consequences which its refusal totally to abolish the slave-trade would entail upon it. The allied cabinets will doubtless admit, that equity demands this prior measure.

"As to the other propositions made by the duke of Wellington, and which are more particularly interesting to the maritime powers, the Russian cabinet will constantly express the wish which the emperor forms, that such arrangement may be made between those powers as will enable each of them to suppress the traffic amongst their respective subjects, by declaring it to be an act of piracy. And as amongst these propositions there are some which particularly concern the government of the French king, the emperor is ready to support the same in the negotiations which may take place upon this subject."

A final conference appears to have been held at Verona on the

25th of November, when the following resolutions respecting the abolition of the slave trade were adopted:—

"The plenipotentiaries of Austria, of France, of Great Britain, of Prussia, and of Russia, assembled in congress at Verona, considering, that their august sovereigns have taken part in the declaration of the 8th of February, 1815, by which the powers assembled at the congress of Vienna have proclaimed in the face of Europe their invariable resolution to put a stop to the commerce known by the name of the African slave-trade;—

"Considering, moreover, that, notwithstanding this declaration, and in spite of the legislative measures which have in consequence been adopted in various countries, and of the several treaties concluded since that period between the maritime powers, this commerce, solemnly proscribed, has continued to this very day; that it has gained in activity what it may have lost in extent; that it has even taken a still more odious character, and is become more dreadful from the nature of the means to which those who carry it on are compelled to have recourse;—

"That the cause of so revolting an abuse are chiefly to be found in the fraudulent practices, by means of which the persons engaged in these nefarious speculations elude the laws of their country, and the vigilance of the cruisers stationed to put a stop to their inquiries, and veil those criminal operations of which thousands of human beings annually become their innocent victims;—

"That the powers of Europe are called upon by their previous en-

gements, as well as by sacred duty, to seek the most efficient means of preventing a traffic which the laws of almost every civilized country have already declared to be culpable and illegal, and of punishing with severity those who persist in carrying it on, in manifest violation of those laws;—

“They acknowledge the necessity of devoting the most serious attention to an object of such importance to the honour and welfare of humanity, and consequently declare, in the name of their august sovereigns,

“That they continue firm in the principles and sentiments manifested by those sovereigns, in the declaration of the 8th of February, 1815; and that they have never ceased, nor ever will cease, to consider the slave-trade as ‘a scourge which has too long desolated Africa, degraded Europe, and afflicted humanity;’ and that they are ready to concur in every thing that may secure and accelerate the complete and final abolition of that traffic;—

“That in order to give effect to this renewed declaration, their respective cabinets will eagerly enter into the examination of any measure, compatible with their rights and the interest of their subjects, to produce a result that may prove to the world the sincerity of their wishes, and of their efforts in favour of a cause worthy of their common solicitude.”

The directors, having detailed the negotiations upon the subject of the slave trade which took place at the recent congress at Verona, anticipate the concurrence of the general meeting, when they venture to express their bitter disappointment at the result of these conferences, if indeed any favourable result at all can be said

to have been obtained. The prospect of a total suppression of the increased and increasing horrors of that odious traffic seems indeed more distant than ever; and the directors must be allowed to lament, that, as they advance in the discharge of the important duties confided to them by the subscribers, the great object which both have at heart appears to recede from their view.

This impression they themselves feel it impossible to resist; and they think it must operate with equal force on all those friends of the African cause, who will ever so slightly attend to the conduct of France, and the language of its plenipotentiaries, in reply to the memorial of the duke of Wellington.

When acting in concert with the Allied Powers, they concur in all those vague generalities of verbal reprobation, which, as experience teaches, bind them to no specific efficient measures, and from which they could not with any semblance of honour or good faith retire; but when pressed by the duke to prove their sincerity by adopting such a line of action as should be really efficient, their answer is a mere tissue of excuses, founded, some of them on misrepresentations of fact, others on circumstances of which the existence may be protracted to an indefinite extent, and of a nature which they pretend not to have the power and certainly do not exhibit the least inclination to alter or remove—viz. “to apply to the slave trade the punishment of piracy” is “beyond the limits of political conference.”

“To affix to it the penalty of death is a judicial or legislative measure, and must therefore wait

the approbation of public opinion." "To reject the colonial produce of those states who persist in it, would only affect Portugal, who must therefore be heard."

"The registration of slaves will be taken into consideration when the time for so doing shall have arrived, and then may possibly be permitted; but would be a violation of the right of property, which the laws of Great Britain respect even in its extravagancies and caprices."

"The rights of mutual search, however limited, would have the most disastrous consequences."

What expectation, after this, of any good from that quarter, can be rationally indulged?

The directors again express their deep and continued regret, that the Portuguese government still refuses to accede to any measures calculated for the further suppression of the slave trade; and they are grieved to be under the necessity of now stating the refusal of that government even to ratify the article which was mentioned in the last report, although that document was laid on the table of the House of Commons, and ordered to be printed during the last session, without any notice that it had not been ratified, or any intimation of the transaction being imperfect. It is to be found at p. 34 of the Correspondence with Foreign Powers, &c. on the Slave-trade, which was ordered to be printed on the 1st of April, 1822, and appears to have been enclosed in a note from M. de Pinheiro Ferreira, his Portuguese majesty's secretary of state, dated at the palace of Rio Janeiro, in April, 1821, to the right hon. Edward Thornton, his Britannic majesty's minister there; in which

M. de Pinheiro informs Mr. Thornton, that he has received the king of Portugal's orders to declare expressly and officially, that the king accedes to the article "conceived in the very terms of lord Castlereagh's despatch, as communicated to him; and has in consequence given orders for transmitting to his envoy at the court of London the necessary powers for presenting that article, and for signing and subscribing it on its approval, together with his Britannic majesty's plenipotentiary."

Under these circumstances, the directors had reason to believe that the transaction was complete; and under that impression, they inserted in their last report an exact copy of the additional article, from the parliamentary papers; but on that occasion they omitted to state, what they might have added upon the authority of those papers, the following apparently conclusive testimony to the completion of the transaction:—"In witness whereof we, the undersigned plenipotentiaries, duly authorized, *ad hoc*, by our respective sovereigns, have signed it, and have thereunto affixed the seals of our arms.—Done in London," &c. Notwithstanding, however, the formality of this document, it now appears that no farther step has been taken by the Portuguese government, and that the treaty remains still unratified.

The directors have no reason to believe, that any relaxation in the French slave-trade has taken place during the last year. Although they have not at present such ample details to lay before the meeting as on several former occasions, yet the following account will show in what mode that traffic continues to be carried on.

It is taken from a narrative lately published by the committee of the Society of Friends for promoting the total abolition of the slave-trade; and the circumstances of the case are stated as being authenticated by official documents. As the information might probably be new to most of the subscribers, the report adds the following detail of this transaction:—

The brig *Vigilante* sailed from Nantes on a slave voyage, and was captured by lieutenant Mildmay in the river Bonny, on the coast of Africa, on the 15th of April, 1822.

Her burthen was 240 tons; and she had on board, at the time of her capture, 345 slaves. She was manned by 30 men, armed with four 12 pounders, all of which were brought over to one side of the ship for the attack.

The circumstances of the case are thus stated:—Sir Robert Mends was commander of a squadron on the coast of Africa, stationed there by the British government to prevent the infraction of the laws for the abolition of the slave-trade. He sent out lieutenant Mildmay, with the boats belonging to his vessel, to reconnoitre the river Bonny, a place notorious for carrying on this traffic. The boats having crossed the bar soon after daylight, about seven o'clock, six sail, two schooners and four brigs, were observed lying at anchor off the town of Bonny. When the boats were about four miles off, they displayed their colours; and, as they advanced, the slave-vessels were seen moored across the stream, with springs on their cables, all armed, with apparently about 400 slaves on board, and the crews fully prepared to resist

any attack that might be made upon them. The two schooners and three of the brigs opened a heavy fire of canister and grape-shot and musketry upon the English boats as they advanced.

When the latter were near enough for their shots to take effect, the firing was returned. They advanced, and in a short time took possession of all the vessels.

The other ships proved to be, the *Yeanam*, a Spanish schooner from the Havannah, of 860 tons, and 380 slaves on board; the *Vicua*, a Spanish schooner from the Havannah, 180 tons, and 325 slaves on board; the *Petite Betsy*, a French brig from Nantes, 184 tons, with 218 slaves on board; the *Ursule*, a French brigantine from St. Pierre, Martinique, 100 tons, and 347 slaves on board; all manned and armed in such a way, as that they might fight desperately if attacked. The *Theodore*, a French brig, had no slaves on board; but a cargo was on shore, in readiness for embarkation.

Many of the slaves jumped overboard during the engagement, and were devoured by the sharks. On board the *Yeanam*, which made the most determined resistance, the slaves suffered much: four were killed, and ten wounded. Of the wounded, three were females; one girl about ten years of age, lost both her legs, another her right arm, and a third was shot in the side. Even after the vessel had been surrendered, a number of the Spanish sailors skulked below, and, arming the slaves with muskets, made them fire upwards upon the British. On board this ship lieutenant Mildmay observed a slave girl, about twelve or thirteen years of age, in irons, to

which was fastened a thick iron chain, ten feet in length, that was dragged along as she moved. He ordered the girl to be instantly released from this fetter; and, that the captain who had treated her so cruelly might not be ignorant of the pain inflicted upon an unprotected and innocent child, the irons were ordered to be put upon him.

The Spanish schooner *Vicua*, when taken possession of, had a lighted match hanging over the oven magazine hatch. The match was placed there by the crew, before they leaped over-board and swam for the shore: it was seen by one of the British seamen, who boldly put his hat under the burning wick and removed it. The magazine contained a large quantity of powder. One spark from the flaming match would have blown up 325 unfortunate victims lying in irons in the hold. These monsters in iniquity expressed their deep regret, after the action, that their diabolical plan had failed.

The slaves, at the time of the capture of the vessel, were found in the most wretched condition: some lying on their backs, others sitting on the bottom of the ships. They were chained to each other by the arms and legs; iron collars were placed round their necks. In addition to these provisions for confinement, they were fastened together by a long chain, which connected several of the collars for their greater security in that dismal prison.

Thumb-screws, to be used as instruments of torture, were also found in the vessel. From their confinement and sufferings, the slaves often injured themselves by beating, and vented their grief

upon such as were next them, by biting and tearing their flesh. Some of them were bound with cords, and many had their arms grievously lacerated. Upwards of 150 of the slaves died on their passage to Sierra Leone. The Spanish schooner from the *Havannah* was separated from the other vessels in a dreadful storm, as they were proceeding to that colony, and sank with 380 slaves on board. The other vessels reached their destination. Those from Spain were left at Sierra Leone for adjudication by the mixed commission court of Great Britain and Spain; and those from France were sent to England, to be disposed of by the British government, which ordered them to sail for France. The slaves, however, had all been previously liberated, and distributed in the colony of Sierra Leone, through the villages settled by other captured negroes; where they have regained their freedom, and now enjoy the opportunity of being instructed in the arts of agriculture and mechanics.

The meeting will recollect, that, in a former report, the directors stated the satisfaction they had experienced from the proceedings adopted by the inhabitants of the island of Ceylon, for the improvement of the condition of their slaves, and for the emancipation of the children born of female slaves after the 12th of August, 1816.

From papers lately laid before parliament, the directors are happy to learn, that an order of the governor of that island, in council, was made in the year 1818, for securing to such children the full benefit of the intentions of the proprietors of their mothers, and

also for establishing an efficient registry of all the slaves in the island of Ceylon.

The accounts received during the last year of the measures pursued by sir R. T. Farquhar, the governor of the Isle of France, for the further suppression of the African slave-trade in that part of the globe, are highly important and encouraging. The directors have good reason to believe (independently of the information contained in the following letter), that the governor has entered into a treaty with the Imaum of Muscat, for the total abolition of the slave-trade in the island of Zanguebar, and all the other dominions belonging to him.

An officer of his majesty's navy, employed in that part of the globe, writes to one of the directors of the institution, under the date of January last, that though the traffic, by a constant vigilance on the part of his excellency, sir R. T. Farquhar, aided by the naval force, has been considerably checked, yet the fear of meeting with British cruisers, and the increased difficulties of carrying it on, have unfortunately increased the horrors of the situation of these poor creatures, in their transport across the seas.

Sir R. T. Farquhar had been for some time occupied in bringing about a treaty with the Imaum of Muscat, for the total abolition of all traffic in slaves in his dominions with any persons whatsoever, from which, most particularly at Zanguebar, it had been carried on to a prodigious extent, and captain Moresby, who was intrusted with its execution, had returned to the Mauritius, having with great diligence and ability finally arranged this treaty with the Imaum of Muscat.

To give effect to all these proceedings, captain Nourie, of his majesty's ship *Andromache*, sailed with a small squadron under his orders. His first visit was to Bourbon, where he learned enough to convince him, that the slave-trade was extensively carried on in that island, notwithstanding every proper disposition on the part of the governor to check it. His means of doing so were wholly inefficient, and all the landed proprietors in the island being interested in maintaining the trade, the difficulties of the governor were of course greatly increased.

From Bourbon, he sailed for Foul Point, on the east coast of Madagascar; at which place resides Mr. Hastie, the British agent, who has been zealously and usefully employed in bringing about a taste in the natives for agriculture and habits of industry. Towards these objects, king Radama had afforded every assistance; and a village was then rapidly rising at Foul Point.

The natives under prince Rafala, who had been brought from the interior to form this establishment, were mild in their manners, and ingenious in several kinds of manufactures, particularly in that of straw mats, and cloths made of grass as fine as silk.

Mr. Hastie had also encouraged the rearing of the silk worm, for which the country is stated to be very favourable.

He informed the officers of the *Andromache*, that several offers had been made by persons interested in the slave-trade to the chieftains, for leave to trade on this part of the coast, but that these offers had invariably been rejected.

On leaving Foul Point, the

Andromache called for the French island of St. Mary's, off Madagascar. On this part of the coast there was strong reason to believe, notwithstanding the assertions of the French to the contrary, that the traffic in slaves was secretly carried on, though not to any great extent.

The *Andromache* also visited the island of Zanguebar, on the east coast of Africa. The meeting will bear with satisfaction, that 15 days before her arrival there, a large ship mounting 20 guns, under French colours, direct from France, which had come thither for slaves, and for which traffic she had been expressly fitted out, had been under the necessity of departing without having been able to procure a single slave.

It was clearly ascertained, that the Imam had issued the most positive orders to his governor of Zanguebar, to prevent the traffic in slaves with any persons whatsoever; and there was reason to believe that the governor had faithfully fulfilled these instructions.

The letter speaks strongly of the abundance of fresh provisions and fruit to be had at Zanguebar, and states that the climate, though hot, is tempered with genial rains throughout the year: a proof of which was exhibited in the rich verdure which then covered the island.

On the return of the *Andromache* to the Cape, in passing through the channel, she put into the Portuguese settlement of Mozambique. This settlement was found to be in a very languishing state, arising from the diminished demand for slaves; and, owing perhaps to the perturbed state of the mother country, it appeared to be much neglected.

The governor expressed himself strongly as to the evil tendency of the slave-trade upon the habits and morals of the people of Mozambique.

The directors have not yet received the annual official documents from Sierra Leone, and they are consequently unable to detail the circumstances which have taken place there during the last year. But from such information as has already come to their knowledge, they may state that the colony continues to make a gradual improvement in civilisation, in agriculture, and in commerce.

Captain Thompson, who was engaged in the negotiation of the treaty which has just been alluded to, lately returned to England; and on his way home collected and brought with him a quantity of seeds of various kinds from India, Arabia, and Egypt: amongst these are, the Mocha coffee, the Teak, and the Mango, as well as some others which appear to be valuable. He was kind enough to present them to the institution with a view to their being sown at Sierra Leone, where it is hoped they may be successfully and usefully cultivated: they have accordingly been sent to the care of governor M'Carthy with captain Thompson's own remarks upon the seeds, and upon the best method of raising plants from them, and the necessary precautions for their future care and cultivation.

The directors are happy in being enabled to state to the meeting, that after various unsuccessful trials, some vaccine virus, sent out to Sierra Leone by the brig *Waterloo*, was found to succeed in the cases of two children who were vaccinated from it by Mr. Barry. From

these children others were vaccinated; and the disease was propagated amongst some hundreds of persons, with a fair prospect of its being kept up. All did well; and it appears from these experiments, that the constitution of the African is as susceptible of the influence of vaccination as that of the Europeans. Measures have also been taken for the purpose of introducing vaccination into the interior of Africa.

The directors have learnt that the new government of Peru have issued a decree, declaring that all children of slaves born in the Peruvian territory after the 28th of July 1821, shall be free, and shall enjoy the same rights as other Peruvian citizens, with certain modifications.

Societies for promoting the gradual abolition of slavery in all the British colonies have recently been formed in London, Liverpool, and other places; and a very considerable number of petitions have already been presented to parliament in favour of this measure; of these petitioners, the university of Cambridge stands upon this occasion amongst the foremost, as she did amongst those numerous petitioners who implored parliament to abolish the slave trade thirty years ago. By an unanimous vote of her senate on the 16th day of April last, a petition on this subject was agreed upon, and has been since presented to both Houses of Parliament.

The directors have just been favoured with a copy of the sixth annual report of the American society for colonising the free people of colour of the United States. No copy of the fifth report has yet reached their hands; but from the sixth, they learn that the society

has purchased a territory at Cape Mesurado, to which place, in the beginning of January, 1822, they removed the colonists who had been temporarily settled at Fourah Bay. At first considerable difficulties and dangers from unforeseen circumstances were encountered by these people; but, reckoning upon the intelligence which the committee had then received from Africa, they express their confident hopes in the ultimate success of the undertaking, and proceed to describe the favourable appearance of the infant colony with much warmth and interest. The directors are sorry to inform the meeting, that these expectations have for the present been disappointed. In the latter part of the last year, hostilities broke out between the settlement and the surrounding natives, which were accompanied by fighting and bloodshed. In the month of November, the natives attacked the American settlement with several hundred men: they were however repulsed by the colonists with great slaughter, but not without considerable loss on their side in killed and wounded. Had it not been for the humane and timely assistance of captain M'Coy, the commander of the Sierra Leone colonial schooner, which happened to pass Cape Mesurado that morning, proceeding to Cape Coast, and of captain Laing and several other British officers who were passengers on board that vessel, the total destruction of the settlement would probably have been effected. The schooner dropped into the road, and the officers entered into a negotiation with the native chiefs, which it was hoped might lead to a permanent peace. Unhappily soon after this period severe sickness

visited the colony, and many deaths occurred: the last accounts received, state that the American agent himself was reduced to a very bad state of health, and that sickness generally prevailed.

Dr. Lushington has again brought into parliament his bill for the consolidation of all the existing laws relative to the abolition of the slave-trade, which was postponed from the last session; and its provisions are now under the consideration of a committee of the directors, with whom Dr. Lushington has been so obliging as to communicate, in order to render the details of the measure as complete as possible. They trust the bill may be so framed as to be productive of important benefits. But the directors cannot conceal their opinion, that, unless it shall prohibit the removal of slaves from one British colony to another, except in the case of domestic slaves, under certain regulations, as well as repeal the 58th Geo. 3rd, cap. 49, which allows the importation of slaves in certain cases, it will stop far short of the object which they have in view.

It has not escaped the observation of the directors, that the Brazilian government having declared itself independent, there may be danger of its flag being used for

the protection of slave ships. Upon this subject, as well as respecting a considerable portion of the African coast, as far as five and a half degrees, or about 400 miles of coast south of the Equator, wherein the Portuguese government have agreed by treaty to abstain from carrying on any trade in slaves, but in which no right of search has yet been consented to, the board has had a communication with his majesty's minister for foreign affairs; and they hope that some measures may be taken to prevent or remedy the evils, which have arisen from these circumstances.

With a view to the further diffusion of information respecting the African slave-trade, particularly in France, the directors have, during the course of the last year, circulated at Paris, in the Netherlands, and the kingdoms of Spain and Portugal, a large edition of the celebrated speech of the duke de Broglie, made in the French chamber of peers during the last year, and also of Mr. Wilberforce's letter to the emperor of Russia, describing the atrocities of the existing slave-trade; and a considerable number of copies of the last report of this institution have also been distributed in a similar manner.

II.—FOREIGN.

DIPLOMATIC CORRESPONDENCE *relative to the RELATIONS between FRANCE and SPAIN.*

The following are the most important of the Papers presented to both Houses of Parliament, by command of his Majesty, April 1823:—

SPAIN.

Confidential Minute of Viscount Castlereagh on the Affairs of Spain. Communicated to the Courts of Austria,

France, Prussia, and Russia, in May, 1820.

(Extract.) The events, which have occurred in Spain, have, as might be expected, excited, in

in proportion as they have developed themselves, the utmost anxiety throughout Europe.

The British cabinet upon this, as upon all other occasions, is ever ready to deliberate with those of the allies, and will unreservedly explain itself upon this great question of common interest; but as to the form in which it may be prudent to conduct these deliberations, they conceive, they cannot too early recommend that course of deliberation which will excite the least attention or alarm, or which can least provoke jealousy in the minds of the Spanish nation or government. In this view, it appears to them advisable, studiously to avoid any re-union of the sovereigns—to abstain; at least in the present stage of the question, from charging any ostensible conference with commission to deliberate on the affairs of Spain. They conceive it preferable that their intercourse should be limited to those confidential communications between the cabinets which are, in themselves, best adapted to approximate ideas, and to lead, as far as may be, to the adoption of common principles, rather than to hazard a discussion in a ministerial conference; which, from the necessarily limited powers of the individuals composing it, must ever be better fitted to execute a purpose already decided upon, than to frame a course of policy under delicate and difficult circumstances.

There seems the less motive for precipitating any step of this nature in the case immediately under consideration; as, from all the information which reaches us, there exists in Spain no order of things upon which to deliberate; nor, as yet, any governing authority with which foreign powers can communicate.

The King's authority, for the moment at least, seems to be dissolved. His majesty is represented in the last despatches from Madrid, as having wholly abandoned himself to the tide of events, and as conceding whatever is called for by the provisional junta and the clubs.

The authority of the provisional government does not appear to extend beyond the two Castilles and a part of Andalusia:—Distinct local authorities prevail in the various provinces, and the king's personal safety is regarded as extremely liable to be hazarded, by any step which might lay him open to the suspicion of entertaining a design to bring about a counter-revolution, whether by internal or external means.

This important subject having been referred to, and considered by the duke of Wellington, his memorandum accompanies this minute.—His grace does not hesitate, upon his intimate experience of Spanish affairs, to pronounce, that the Spanish nation is, of all the European people, that, which will least brook any interference from abroad; he states the many instances in which, during the late war, this distinguishing trait of national character rendered them obstinately blind to the most pressing considerations of public safety: he states the imminent danger in which the suspicion of foreign interference, and more especially of interference on the part of France, is likely to involve the king—and he further describes the difficulties which would oppose themselves to any military operations in Spain, undertaken for the purpose of reducing, by force, the nation to submit themselves to an order of things, to be either suggested or prescribed to them from without.

Mr Henry Wellesley has, in coincidence with this opinion, reported the alarm which the intended mission of M. de La Tour du Pin had excited at Madrid, the prejudice which, in the opinion of all the foreign ministers at Madrid, it was calculated to occasion to the king's interests and possible safety. He also reports the steps which it was in contemplation to have adopted on the part of the king to endeavour to prevent the French minister from prosecuting his journey to Madrid, when the intelligence of the abandonment of the mission was received from Paris.

At all events, therefore, until some central authority shall establish itself in Spain, all notion of operating upon her councils seems utterly impracticable; and calculated to lead to no other possible result, than that of compromising either the king or the allies, or probably both.

The present state of Spain, no doubt, seriously extends the range of political agitation in Europe, but it must nevertheless be admitted, that there is no portion of Europe of equal magnitude, in which such a revolution could have happened; less likely to menace other states with that direct and imminent danger, which has always been regarded, at least in this country, as alone constituting the case which would justify external interference. If the case is not such as to warrant such an interference—if we do not feel that we have at this moment either the right or the means to interfere with effect by force—if the semblance of such an interference is more likely to irritate than to soothe, and if we have proved, by experience, how little a Spanish

government, whether of king or Cortes, is disposed to listen to advice from foreign states, is it not prudent at least to pause, before we assume an attitude which would seem to pledge us in the eyes of Europe to some decisive proceeding? Before we embark in such a measure, is it not expedient, at least, to ascertain with some degree of precision, what we really mean to do? This course of temperate and cautious policy, so befitting the occasion and the critical position in which the king is personally placed, will in no degree fetter our actions, when, if ever, the case for acting shall arise.

In the mean time, as independent states, the allied powers may awaken, through their respective missions at Madrid, with not less effect than would attend any joint representation, a salutary apprehension of the consequences that might be produced by any violence offered to the king's person or family, or by any hostile measures directed against the Portuguese dominions in Europe, for the protection of which Great Britain is bound by specific treaty.

In conveying any such intimation, however, the utmost delicacy should be observed; and though it is to be presumed that the views and wishes of all the allied powers must be essentially the same, and that the sentiments they are likely to express cannot materially differ, it does not follow that they should speak either in their corporate character, or through any common organ—both which expedients would be calculated rather to offend, than to conciliate or persuade.

There can be no doubts of the general danger which menaces more or less the stability of all our

isting governments, from the principles which are afloat, and from the circumstances that so many states of Europe are now employed in the difficult task of casting anew their governments upon the representative principle—but the notion of revising, limiting, or regulating the course of such experiments, either by foreign counsel or by foreign force, would be as dangerous to avow, as it would be impossible to execute; and the illusion too prevalent on this subject, should not be encouraged in our intercourse with the allies. That circumstances might arise out of such experiments in any country directly menacing to the safety of other states, cannot be denied; and against such a danger, well ascertained, the allies may justifiably, and must in all prudence, be on their guard; but such is not the present case. Fearful, as is the example which is furnished by Spain, of an army in revolt, and a monarch swearing to a constitution which contains in its frame hardly the semblance of a monarchy, there is no ground for apprehension that Europe is likely to be speedily endangered by Spanish arms.

In this alliance, as in all other human arrangements, nothing is more likely to impair, or even to destroy its real utility, than any attempt to push its duties and its obligations beyond the sphere which its original conception and understood principles will warrant. It was an union for the re-conquest and liberation of a great proportion of the continent of Europe from the military dominion of France; and having subdued the conqueror, it took the state of possession, as established by the peace,

under the protection of the alliance. It never was, however, intended, as an union for the government of the world, or for the superintendence of the internal affairs of other states.

We shall be found in our place when actual danger menaces the system of Europe; but this country cannot, and will not, act upon abstract and speculative principles of precaution. The alliance which exists had no such purpose in view in its original formation. It was never so explained to parliament; if it had, most assuredly the sanction of parliament would never have been given to it; and it would now be a breach of faith, were the ministers of the crown to acquiesce in a construction being put upon it, or were they to suffer themselves to be betrayed into a course of measures, inconsistent with those principles which they avowed at the time, and which they have since uniformly maintained both at home and abroad.

Instructions drawn up by the Marquis of Londonderry, and transferred to the Duke of Wellington, September 14, 1822.

(Extract.) With respect to Spain, there seems nothing to add to, or vary, in the course of policy hitherto pursued—solicitude for the safety of the royal family—observance of our engagements with Portugal—and a rigid abstinence from any interference in the internal affairs of that country—must be considered as forming the basis of his majesty's policy.

VERONA AND PARIS.

No. 1.—The Duke of Wellington to Mr. Secretary Canning.—Received September 24th.

(Extract.)

Paris, September 31, 1892.

I had a long discussion with Monsieur de Villèle yesterday, on the relations of this Government with Spain. It appears, that for a considerable time past, I believe since the alarm of infectious fever in Spain, the French Government have been collecting the troops in the southern departments of France. They have not, however, on the immediate frontier, a larger body of men than are sufficient for the performance of the duties of the "Cordon Sanitaire," so long as that precaution is necessary in consequence of the prevalence of the fever in the neighbouring provinces of Spain; or than can fairly be deemed necessary for the purposes of observation of a country which is the seat of a civil war, and for the protection of the French frontier from insult, by the different parties in operation immediately on the borders.

M. de Villèle said, that the assembly of the Congress at the present moment, was not a matter of indifference, in relation to the situation of affairs in Spain, or to that in which the two countries stood towards each other. There was no doubt that expectations were formed respecting the result of the deliberations of the Congress on the affairs of Spain, as well in Spain as elsewhere; and that if the Congress were to separate, and come to no decision on those affairs, it was probable that the existing evils would be greatly aggravated, and that the two countries might be forced into a war.

Monsieur de Villèle wished that the Congress should take into consideration the actual position of the French Government in relation

to Spain, and the hypothesis under which they might be forced into a war; and that the four other Powers of the Alliance should declare what line they would each take, in case of the occurrence of any of the events which they conceived would force them to war. I told Monsieur de Villèle that it would be quite impossible for us to declare beforehand what would be our conduct upon any hypothetical case.

I should wish to receive his majesty's instructions what line I shall take, and what arguments I shall use, in case the French Government should make the proposition at the Congress, which M. de Villèle has made to me, respecting a declaration by the Allies.

No. 2.—Mr. Secretary Canning to the Duke of Wellington.

(Extract.)

Foreign-office, September 27, 1892.

If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference—so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your Grace at once frankly and peremptorily to declare, that to any such interference, come what may, his Majesty will not be a party.

(Inclosure in No. 3.)—Translation. Questions addressed by the French Plenipotentiary to the Plenipotentiaries of Austria, Prussia, Russia, and Great Britain.

Verona, October 30, 1892.

1. In case France should find

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herself under the necessity of recalling her minister from Madrid, and of breaking off all diplomatic relations with Spain, will the high courts be disposed to adopt the like measures, and to recall their respective missions?

2. Should war break out between France and Spain, under what form and by what acts would the High Powers afford to France that moral support which would give to her measures the weight and authority of the alliance, and inspire a salutary dread into the revolutionists of all countries?

3. What, in short, is the intention of the high powers as to the extent and the form of the effective assistance ("*secours matériels*") which they would be disposed to give to France, in case active interference should on her demand become necessary.

(Inclosure in No. 4.)

Memorandum — Answer of the Duke of Wellington to the questions of the French Plenipotentiary.

Verona, October 30, 1822.

Since the month of April, 1820, the British Government have availed themselves of every opportunity of recommending to his majesty's allies to abstain from all interference in the internal affairs of Spain.

Without adverting to those principles which his majesty's government must always consider the rule of their conduct; in relation to the internal affairs of other countries, they considered that to whatever degree either the origin of the Spanish revolution, the system then established, or the conduct of those who have since had the management of the internal affairs of Spain might be disapproved of, any

amelioration which might be desired in the Spanish system, for the sake of Spain herself, ought to be sought for in measures to be adopted in Spain, rather than abroad; and particularly in the confidence which the people should be taught to feel in the character and measures of the king.

They considered that an interference, with a view to assist the monarch on the throne, to overturn that which had been settled, and which he had guaranteed, or to promote the establishment of any other form of government or constitution, particularly by force, would only place that monarch in a false position, and prevent him from looking to the internal means of amelioration which might be within his reach.

Such an interference always appeared to the British Government an unnecessary assumption of responsibility; which, considering all the circumstances, must expose the king of Spain to danger, and the power or powers which should interfere, to obloquy, certain risks, and possible disasters; to enormous expenses, and final disappointment in producing any result.

Upon these principles his majesty has advised his allies, and has acted himself, from the month of April, 1820, to the present day.

The protocols and other acts of the Congress at Aix-la-Chapelle, which established the union at present existing between the five powers, so happily for the world, require the most unlimited confidence and communication on the part of each; and accordingly his majesty has never failed to communicate to his allies, and particularly to France, every instruction which he has sent to his minister at Madrid; and all the

communications made by his majesty's commands to the minister of Spain residing in London:—all in the same spirit of good-will towards the king of Spain and the Spanish nation.

It is impossible to look at the existing relations between France and Spain, advertng to what has passed from the commencement of the year 1820, to the present moment, without being sensible of the unfortunately false position in which the king of Spain is placed; and that the spirit of party in both countries, having aggravated the national antipathy which antecedent circumstances had occasioned, is in a great measure the cause of the unfortunate irritation in Spain against France to which his excellency the minister of France has adverted. The great object of his majesty's foreign policy is, to preserve peace among nations; he feels the most anxious interest for the happiness of his Catholic majesty, and the honour of his government; and it would be his sincere desire to allay that irritation.

But the British government cannot but feel, that to make any declaration on any of the three points referred to by his excellency, without a previous accurate knowledge of all the circumstances which have occurred between the two countries, would be not only premature and unjust, but would probably be unavailing; and would, in fact, deprive his majesty of the power of discussing and deciding upon the measures of his own government in this affair hereafter, when he should be better informed. His majesty must either place himself in this painful position, or he must do, what would be equally painful to his feelings, require from

his august friend and ally the king of France, that he should submit his conduct to the advice and control of his majesty.

His majesty's government cannot think either alternative to be necessary; but are of opinion that a review of the obvious circumstances of the situation of France, as well as Spain, will show, that whatever may be the tone assumed towards France by the ruling powers in Spain, they are not in a state to carry into execution any plan of real hostility.

Considering that a civil war exists in the whole extent of the frontier which separates the two kingdoms; that hostile armies are in movement and in operation in every part of it; and that there is not a town or village on the French frontier which is not liable to insult and injury—there is no person who must not approve of the precaution which his most Christian majesty has taken in forming a corps of observation for the protection of his frontier, and for the preservation of the tranquillity of his people.

His Britannic majesty sincerely wishes that this measure may be effectual in attaining the objects for which it is calculated; and that the wisdom of the French government will have induced them to explain it at Madrid, in such terms as will satisfy the government of his Catholic majesty of its necessity.

Such an explanation will, it is hoped, tend to allay in some degree the irritation against France; and, on the other hand, it may be hoped that some allowance will be made in France for the state of effervescence of men's minds in Spain, in the very crisis of a revolution and civil war.

A moment's reflection upon the relative power of the two states will show, that the real evil to which his most Christian majesty is exposed, is that resulting from the operations of the civil war on the neighbouring frontier of Spain; against which the measure which his government have adopted is best calculated to preserve him.

Even revolutionary madness could not calculate upon the success of a serious attack by Spain upon France, under any circumstances which it is possible to suppose to exist at present in the latter kingdom.—But the attention of the Spanish government is now occupied by a civil war, the operations of which certainly justify the formation of a corps of observation in France; and it is not very probable that they would, at this moment, desire to break with France.

Neither is it to be believed that, in their present situation, they would not desire still to enjoy the advantage of that countenance to their system, which the presence of the French ambassador at the seat of government must afford them.

His majesty therefore considers any rupture by Spain, or any measure on her part which may render necessary the immediate discontinuance of diplomatic relations by France, very improbable: and as his majesty is quite unacquainted with what has passed between France and Spain since the month of April, 1820; and his government cannot know upon what grounds his most Christian majesty's government may think proper to discontinue the diplomatic relations of France with Spain; or upon what grounds war may break out between the two coun-

tries; it is impossible for them now to pronounce what advice they should consider it their duty to give to his majesty, in case either or both of those events should occur.

His majesty most anxiously wishes that such extremities may be avoided; and he feels convinced that the government of his most Christian majesty will find means of avoiding them.

No. 5.—The Duke of Wellington to Mr. Secretary Canning.—Received Nov. 21.

(Extract.)

Verona, November 12, 1822.

I have little to report as having occurred on the Spanish question, since I wrote to you on the 5th inst. But I inclose to you a memorandum on what is passing here, which I send to sir Charles Stuart by this occasion.

(Inclosure in No. 5.—Memorandum.)

(Extract.)

Verona, November 12, 1822.

On the 20th of October, the French minister gave in a paper, requiring from the ministers of the allies to know, whether, if France should be under the necessity of withdrawing her minister from Spain, the other allied powers would do the same? In case France should be involved in war with Spain, what countenance the allies would give the former? And in case France should require it, what assistance?

To these questions the three continental allies answered on the 20th of October, that they would act as France should, in respect to their ministers in Spain, and would give to France every countenance and assistance she should require—the cause for such assis-

tance, and the period and the mode of giving it, being reserved to be specified in a treaty.

The minister of great Britain answered; that, having no knowledge of the cause of dispute, and not being able to form a judgment upon an hypothetical case, he could give no answer to any of the questions.

The mode of communicating with Spain was considered on the 31st, with a view to prevent a rupture between France and Spain. It was agreed that the minister of each of the four continental courts at Madrid should present a separate note of the same tenor, and drawn upon the same principles; and on the 1st of November it was settled, that the four courts should draw up their notes and communicate them to the British minister; who should, upon seeing these notes, make known the line which his court would take.

Since that meeting, it is understood that the plan of proceeding proposed and agreed to, has been altered. Instead of official notes to be presented by the several ministers at Madrid to the Spanish government, it is now intended that dispatches shall be written to those ministers respectively, in which the several courts will express their wishes and intentions: this mode of proceeding is adopted, as affording greater latitude for discussion and explanation than that by official notes.

Accordingly M. de Montmorency has prepared the draft of his dispatch; and it is understood that the ministers of the continental powers are preparing theirs. These are the facts which have occurred at the existing Congress. In the course of the discussions which

have taken place upon this occasion, a marked difference of opinion as to the mode of action has appeared between the continental courts on the one hand, and England on the other. The minister of the latter power has recommended that France, and the powers which should interfere in this case, should confine themselves to what may properly be called the *external* quarrel between France and Spain; should not menace; and above all should not approach Spain in the form of enemies, bound in a treaty of defensive alliance against her.

No. 6.—The Duke of Wellington to Mr. Secretary Canning.—Received, December 6.

(Extract.)

Verona, November 22, 1832.

I inclose the minute of the answer which I returned to the ministers of the allies on the 20th inst. when they communicated to me the dispatches which they proposed to write to the ministers of their several courts at Madrid.

Minute.—(Inclosure in No. 6.)

Verona, November 20, 1832.

When the ministers of the five courts last assembled on the 1st instant, the object of their common solicitude was, to allay the irritation existing in Spain against France, and to prevent a possible rupture between the two powers.

Although his majesty's government did not consider themselves sufficiently informed, either of what had already taken place between France and Spain, or of what might occasion a rupture, to be able to answer in the affirmative, the questions submitted to the conference by his excellency the minister of France; yet, knowing the

anxiety of the king, my master, for the honour of his most christian majesty, and for the preservation of the peace of the world, I was willing to enter into the consideration of the measures proposed, with a view to attain our common object.

It was settled, that the notes to be prepared according to the proposition of his highness the Austrian minister, and to be presented to the Spanish government on this occasion, should be communicated to me, in order that I might see, whether, consistently with the view which the king had invariably taken of the affairs of Spain, and with the principles which had governed his majesty's conduct in relation to the internal concerns of other countries, his majesty's government could take any part which might forward the common purpose of preserving the general tranquillity.

The ministers of the allied courts have thought proper to make known to Spain the sentiments of their respective sovereigns, by dispatches addressed to the ministers of their several courts, residing at Madrid, instead of by official notes—as a mode of communication less formal, and affording greater facility of discussion.

These dispatches, it appears, are to be communicated *in extenso* to the Spanish government.

The origin, circumstances, and consequences of the Spanish revolution,—the existing state of affairs in Spain,—and the conduct of those who have been at the head of the Spanish government may have endangered the safety of other countries, and may have excited the uneasiness of the governments, whose ministers I am now addressing; and those govern-

ments may think it necessary to address the Spanish government upon the topics referred to in these dispatches.

These sentiments and opinions have certainly been entertained by the three cabinets of Austria, Prussia, and Russia, for a considerable period of time; and the British government duly appreciates the forbearance and deference for the opinions of other cabinets, which have dictated the delay to make these communications, to the present moment. But having been delayed till now, I would request those ministers to consider, whether this is the moment at which such remonstrances ought to be made; whether they are calculated to allay the irritation against France and to prevent a possible rupture; and whether they might not with advantage be delayed to a later period.

They are certainly calculated to irritate the government of Spain; to afford ground for a belief that advantage has been taken of the irritation existing between that government and France, to call down upon Spain the power of the alliance; and thus to embarrass still more the difficult position of the French government.

The result of these communications will probably be, that the diplomatic relations between the three allied courts and Spain will be discontinued—whatever may be the state of the questions between France and Spain: this occurrence cannot assist the cause of France; as those questions will stand upon their own ground, and the government of France must decide upon their own merits.

But these communications are not only calculated to embarrass the French government, but like-

wise that of the king, my master. His majesty feels sincerely for the king and the people of Spain; he is anxious to see a termination of the evils and misfortunes by which that country is afflicted; and that it should be prosperous and happy. His majesty likewise earnestly desires, that the usual relations of amity and good neighbourhood may be established between France and Spain; and his majesty's government would have been anxious to co-operate with those of his allies, in allaying the existing irritation, and in preventing a possible rupture.

But his majesty's government are of opinion, that to animadvert upon the internal transactions of an independent state, unless such transactions affect the essential interests of his majesty's subjects, is inconsistent with those principles on which his majesty has invariably acted on all questions relating to the internal concerns of other countries; that such animadversions, if made, must involve his majesty in serious responsibility, if they should produce any effect; and must irritate, if they should not: and if addressed, as proposed, to the Spanish government, are likely to be injurious to the best interests of Spain, and to produce the worst consequences upon the probable discussions between that country and France.

The king's government must, therefore, decline to advise his majesty to hold a common language with his allies upon this occasion; and it is so necessary for his majesty, not to be supposed to participate in a measure of this description, and calculated to produce such consequences, that his government must equally refrain from advising his majesty to direct that any com-

munication should be made to the Spanish government, on the subject of its relations with France.

His majesty, therefore, must limit his exertions and good offices, to the endeavours of his minister at Madrid to allay the ferment which these communications must occasion, and to do all the good in his power.

No. 7.—Mr. Secretary Canning to the duke of Wellington.

(Extract.) Foreign Office, Dec. 6, 1822.

The latest date of your grace's dispatches from Verona is the 19th ultimo. The French mail due yesterday, has, from some unaccountable accident failed to arrive; and we are left in an uncertainty, as to every thing that has passed at Verona for more than a fortnight. In this state of things, however difficult it may be to shape instructions to a case not ascertained, it has nevertheless been felt by his majesty's advisers, that we should be wanting to our duty, if we did not submit to his majesty the course which it would be expedient to pursue, in that which is understood to be the present situation of the question of peace or war between France and Spain.

M. de Villèle has taken several opportunities of expressing to sir Charles Stuart his own earnest desire for the preservation of peace; and his wish to receive, not only the support but the advice of the British government, in his endeavours to preserve it.

I have the king's commands to signify to your grace his majesty's pleasure, that your grace should seek a conversation with M. de Villèle; and, after referring to his excellency's communications through sir Charles Stuart, should

offer to that minister the mediation of his majesty, between their most Christian and Catholic majesties.

It will not escape your grace's observation, that in order to afford a prospect of success in our mediation, if France should be willing to employ it, there should be some reasonable hope of a similar acceptance on the part of Spain.

I inclose to your grace an extract of a despatch from the Spanish government to its Chargé d'Affaires in London, which was read and delivered to me by M. de Colomb in a conference the day before yesterday.

The remaining part of the despatch to M. de Colomb (with which I do not trouble your grace on this occasion) relates to the questions pending between the two governments, respecting commercial grievances, and the piracies in the West Indian seas.

(Inclosure in No. 7).—Translation.

—Extract of a despatch addressed by M. San Miguel, minister for foreign affairs at Madrid, to M. de Colomb, dated November 15, 1822.

The government of his majesty has received with gratitude, but without surprise, the verbal communication, purporting that the cabinet of his Britannic majesty, respecting the independence and the political institutions adopted by the [Spanish] nation, is determined not to interfere in our domestic affairs.

Nothing else could be expected from the government of a nation which like the British, knows its rights and the primordial principles of public law; and it is only to be wondered at, that it should not think it expedient to give to a declaration of such obvious jus-

tice the solemnity which it deserves.

The ties of intimate regard, the principles of mutual convenience and the analogy of the respective institutions which exist in Spain and in England—do they not positively entitle the former, overwhelmed with difficulties, to expect from the latter, whose political influence is of the greatest weight, something more than simple and abstract justice, something more than a passive respect for universal laws, than a cold and inflexible neutrality? And if some tender interest, such as befits two nations in similar circumstances, exists in the court of London, how is it that it does not manifest itself in visible acts of friendly interposition to save its ally from evils, in which humanity, wisdom, and even cautious and provident state-policy will sympathise? Or how is it that (if these benevolent acts exist) they are not communicated to the cabinet of his Catholic majesty?

The acts to which I allude, would in no wise compromise the most strictly conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another, do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude—they are not (in a word) effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking, and it is with the pen of conciliation that a power, situated like great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent with general utility.

England might act in this manner; being able, ought she so to act? and if she ought, has she acted so? In the wise, just, and generous views of the government of St. James, no other answer can exist than the affirmative. Why then does she not notify to Spain what has been done, and what it is proposed to do in that mediatory sense (*en aquel sentido mediador*)? Are there weighty inconveniences which enjoin discretion, which show the necessity of secrecy? They do not appear to an ordinary penetration.

Nevertheless, in such uncertainty of what she has to thank the British ministry for, the government of his Catholic majesty thinks itself bound to manifest, in the face of the world, in order that it may regard it as its profession of faith, that whilst it respects the rights of others, it will never admit the least intervention in its internal concerns, nor execute an act which may compromise in the least the free exercise of national sovereignty.

When once you shall have communicated these frank declarations to the right hon. George Canning, his excellency cannot do less than find them worthy of his flattering concurrence, as well in substance as in form, and must correspond cordially with the spirit which has dictated them; and it will be sufficient that you should terminate your discourse, by reminding his excellency that Spain has been almost always, in her political relations, the victim of her profligacy and good faith; that her friendship has been, and is useful to other nations, and is useful to other nations, and sincere under every trial; that the government of his majesty is desirous to preserve the

friendly ties which exist between Spain and England, but without the diminution, without the degradation of its dignity, and that, if it has to struggle with the embarrassments that result from its immense progressive losses, the Spanish people always possesses sublimity of sentiment to conduct itself with honour, strength of character to support its calamities, and constancy of resolution to maintain itself in spite of the last sacrifices, in the post which belongs to her in Europe.

No. 8.—The Duke of Wellington to Mr. Secretary Canning.—Received December 11.

(Extract.) Paris, December 9, 1832.

I arrived here this afternoon, and received your despatch of the 6th inst. I have since had an interview with M. de Villèle, and I have the pleasure to inform you, that he has sent a messenger to Verona with orders to the French ministers at that place, to express the desire of the French government, that the transmission of the despatches to Madrid should be suspended.

No. 9.—Mr. Secretary Canning to the Duke of Wellington.

(Extract) Foreign Office, Dec. 9, 1832.

Your grace's despatches of Tuesday have been received and laid before the king. The step taken by M. de Villèle, in referring back to Verona the consideration of the despatches proposed to be sent by the three continental courts to their several ministers at Madrid, with a view of inducing the three courts to suspend the transmission of those despatches, undoubtedly constituted a case (wholly unforeseen when the last instructions of your government were framed)

which made it expedient to suspend, on your grace's part, the offer to the French government, of his majesty's mediation with Spain.—Upon a full review, however, of the situation in which we stand towards both those powers, and towards the other members of the alliance, and upon an anxious consideration of the several issues to which the question of peace or war may come—all those of his majesty's servants, whom I have been able to consult, are of opinion, that it is highly material, for the clear and perfect discharge of the duty of the British government, in a question so deeply affecting the interests, not only of the powers immediately concerned, but of the world, that your grace should not leave Paris, without having placed in the hands of the French government the eventual offer of his majesty's mediation.

No. 10.—The Duke of Wellington to Mr. Secretary Canning.
—Received December 22.

(Extract) Paris, December 17, 1822.

I waited on M. de Montmorency this day, and presented to him the note of which I inclose a copy.

(Inclosure in No. 10.) The Duke of Wellington to M. de Montmorency.

Paris, December 17, 1822.

The undersigned, his Britannic majesty's plenipotentiary, has explained and recorded, in the conferences of Verona, the sentiments of his government upon the present critical state of affairs between France and Spain; and the earnest solicitude of the king his master, to avert a war of which no human foresight can calculate the consequences.

Upon his arrival at Paris, the

undersigned found instructions from his government, to offer to his most Christian majesty the mediation of the king his master, before the decisive step should have been taken, of transmitting to Madrid the despatches written at Verona.

The undersigned rejoiced at the delay which had been interposed to the transmission of these despatches to Madrid, by the reference to Verona; and his government have learnt, with the liveliest satisfaction, the determination of the French government to reconsider a measure which the undersigned had so anxiously deprecated.

It is the sincere hope of his majesty, that this salutary reconsideration may prevent recourse to arms. But, as the issue of the reference to Verona may still be doubtful, the undersigned is instructed to declare, that, if the answer to that reference should not be such as to preclude all danger of hostilities, his majesty will be ready to accept the office of mediator between the French and Spanish governments; and to employ his most strenuous endeavours for the adjustment of their differences, and for the preservation of the peace of the world. The undersigned, &c.

(Signed) WELLINGTON.

No. 11.—(Translation.) Note from the Duke of Montmorency to the Duke of Wellington, dated Paris the 26th Dec. 1822.

The undersigned minister for foreign affairs has received and laid before the king, the note which his excellency the duke of Wellington did him the honour to address to him on the 17th of this month.

His majesty has appreciated the

sentiments which have induced the king of England to offer his mediation to his majesty, in order to prevent a rupture between him and the Spanish government. But his majesty could not but feel that the situation of France with regard to Spain, was not of a nature to call for a mediation between the two courts. In fact, there exists no difference between them, no specific point of discussion, by the arrangement of which their relations might be placed on the footing on which they ought to stand. Spain, by the nature of her revolution, and by the circumstances with which it has been attended has excited the apprehensions of several great powers. England participated in these apprehensions; for even in the year 1820, she foresaw cases, in which it would be impossible to preserve with Spain, relations of peace and good understanding.

France is more interested than any other power in the events which may result from the actual situation of that monarchy. But it is not her own interests alone which are compromised, and which she must keep in view in the present circumstances:—the repose of Europe, and the maintenance of those principles by which it is guaranteed, are involved.

The duke of Wellington knows that these are the sentiments which dictated the conduct of France at Verona; and that the courts which agreed in them regarded the consequences of the revolution, and of the actual state of Spain as being common to them all; that they never entertained the idea that it was between France and Spain alone that the existing difficulties needed to be arranged; that they considered the question to be

“wholly European;” and that it is in consequence of this opinion, that the measures which had for their object the bringing about, if possible, an amelioration in the state of a country so highly interesting to Europe, were conceived and proposed—measures, the success of which would have been completely secured, if England had thought she could concur in them.

His most Christian majesty, who was bound to weigh these considerations maturely, has therefore thought that he could not accept the mediation that his Britannic majesty has been pleased to propose to him. He sees, however, with pleasure in the proposition, a new pledge of the conciliatory disposition of the English government; and he thinks that with such feelings, that government may render essential service to Europe, by offering in the like manner to the government of Spain, advice, which by leading them to entertain more calm views, might produce a happy influence on the internal situation of that country.

His majesty would learn, with the liveliest satisfaction, the success of such efforts. He would see in it a firm ground to hope for the preservation of a peace, of the great value of which, the governments and the people of Europe cannot but be deeply sensible. The undersigned eagerly embraces the opportunity of renewing to his excellency the duke of Wellington the assurances of his high consideration. The undersigned, &c.
(Signed) MONTMORENCY.

No. 12.—Mr. Secretary Canning to the Vicomte de Marcellus.

Foreign Office, January 10, 1823.

The undersigned, his majesty's

principal secretary of state for foreign affairs, has received from the duke of Wellington, late his majesty's plenipotentiary at the congress of Verona, and has laid before the king his master, the answer of the minister for foreign affairs of his most Christian majesty, to the official note in which the duke of Wellington, on his return from Verona, tendered to the French government the mediation of the king, for the adjustment of differences between France and Spain.

The undersigned is commanded to address to M. de Marcellus, chargé d'affaires of his most Christian majesty, the following observations on the note of his excellency the duke of Montmorency, to be transmitted by M. de Marcellus to his court.

The king has seen with pleasure, that his most Christian majesty does justice to the sentiments which dictated the offer of his majesty's mediation: and although the view which is taken in M. de Montmorency's note, of the nature of the differences between the French and Spanish governments, has induced his most Christian majesty to decline that mediation, the king will not the less anxiously employ, in every way that is yet open to him, those "conciliatory dispositions" for which his most Christian majesty gives him credit, to bring about a state of things less menacing to the peace of Europe, than that which is exhibited in the present position of those two governments towards each other.

The British cabinet had not to learn how fearfully the tranquillity of all Europe must be affected by the hostile collision of France and Spain. Accordingly, in the duke

of Wellington's official note, the "adjustment" of the supposed "differences between the French and Spanish governments," was stated as auxiliary to "the preservation of the peace of the world." But the British cabinet certainly did not understand the question brought forward at Verona, by the plenipotentiary of his most Christian majesty, with respect to the actual situation and possible conduct of Spain; to be questions in which the concern of France was so little distinguishable from that of other powers, as the duke de Montmorency's note represents it.

The plenipotentiary of the king of France solicited from his most Christian majesty's allies a declaration:

1st. Whether, if France should find herself obliged to recall her minister from Madrid, and to break off all diplomatic relations with Spain, they would be disposed to take the like measure, and to recall their several legations?

2nd. If war should break out between France and Spain, in what form, and by what acts, would they afford to France that moral support, which would give to her proceedings the whole force of the alliance, and would inspire a salutary fear into the revolutionists of all countries?

3rd. What were the intentions of the several powers, both as to the substance and the form of the direct assistance which they would be disposed to give to France, in a case in which, upon her demand, their active intervention should become necessary?

France, therefore, originated the discussions upon Spanish affairs at Verona; and the answers of the three continental members of the alliance were addressed to the cases

supposed, and to the support demanded, by France.

In common with the three continental powers, the plenipotentiary of his majesty considered the question of peace or war with Spain, as a question peculiarly French. In his answer (given in simultaneously with those of the three continental powers) to the queries of the French plenipotentiary, and in all the discussions which followed thereupon, the duke of Wellington uniformly alleged, as one of his reasons for not assenting to the propositions of M. de Montmorency, the ignorance of the British government as to the antecedent transactions and communications (during the last two years) between the governments of France and Spain.

No objection was stated by the duke of Wellington, on the part of the king his master, to the precautionary measures of France, within her own frontier; measures which the right of self-defence plainly authorized, not only against the danger of contagious disease (in which they professedly originated, and to which, till the month of September, they were exclusively ascribed), but against those inconveniences which might possibly arise to France from civil contest in a country separated from France only by a conventional line of demarcation; against the moral infection of political intrigue, and against the violation of French territory by occasional military incursions. But it appeared to his majesty's plenipotentiary at Verona to be necessary and just, that, before he was called upon to promise eventually the support of his government to measures on the part of France which were likely to lead to war with Spain, opportu-

nity should have been allowed to his government to examine the grounds of those measures—that the cause of offence given by Spain to France should have been specifically defined.

It was therefore impossible for his majesty's plenipotentiary to "concur" in the decisions of Verona.

It remains for the undersigned to advert to that part of the French official note, which appears to insinuate a reproach against this country, as if she had abandoned at Verona, opinions which she had formerly declared with respect to the affairs of Spain.

"England," it is said, "partook in 1820, of the iniquitude which the revolution in Spain occasioned to many great powers; she foresaw cases in which it might be impossible to preserve with Spain the relations of good intelligence and peace."

The undersigned must be permitted to say, that though questions were indeed propounded to England, in the year 1820, as to possible future contingencies in the affairs of Spain, so far from "foreseeing cases," and deciding upon the conduct which would be applicable to them, in the manner here described, the British government positively declined to bind itself; by a contingent opinion, to any conditional course of action.

But there was no indisposition or hesitation to avow the principles upon which the opinion of England would be formed, and her course of action regulated. It was not only declared that the British government disclaimed any general right of interference in the internal concerns of independent nations; but it was specifically stated, that there was perhaps no country of

1823 ANNUAL REGISTER, 1823.

equal magnitude with Spain whose internal disturbances would be so little likely to menace other states with that direct and imminent danger, which could alone, in exception to the general rule, justify foreign interference.

The application of these principles to the cases brought forward by France at Verona, was as direct as it was consistent with the former professions of the British cabinet. — That application was further enforced by other considerations, which, though they had not perhaps been distinctly anticipated in a prospective and hypothetical argument bore nevertheless with undeniable force upon the question to be decided at Verona.

Dangers not necessarily arising from the existence of the internal agitations of Spain, might nevertheless be created by an uncalled-for and injudicious interposition in them. The spirit of revolution, which, shut up within the Pyrenees, might exhaust itself in struggles, trying indeed to Spain, but harmless to her neighbours, it called forth from within those precincts by the provocation of foreign attack, might find perhaps in other countries fresh aliment for its fury; and might renew throughout Europe, the miseries of the five and twenty years which preceded the peace of 1815.

For these and abundant other reasons, the voice of his majesty's plenipotentiary at Verona was for peace. The preservation of general peace is the earnest wish and object of his majesty; and the undersigned is commanded to repeat, that no means will be left unexhausted by his majesty's government, which the impartial employment of good offices can afford, to soothe the irritation at present

unhappily subsisting between the governments of France and Spain, and to prevent, if possible, the commencement of hostilities, the consequences of which no human foresight can calculate. The undersigned, &c.

(Signed) GEORGE CANNING.

No. 13. — (Translation). — The Viscount de Chateaubriand to Mr. Secretary Canning. — Received, Jan. 27th.

Paris, Jan. 23, 1823.

The undersigned minister for foreign affairs, of his most Christian majesty, has laid before the king, the note, dated the 10th of this month which his excellency, the principal secretary of state for foreign affairs of his Britannic majesty, has addressed to viscount Marcellus. He has been commanded to make the following communication to his excellency:

The cabinet of his Britannic majesty would fall into a serious error, if it imagined that France had represented to the congress of Verona, the question of Spain, as having for her an interest entirely separate from that of the allied powers; that, consequently she is inconsistent when, in her answer to the proposition of mediation made by England, she maintains that that question is "wholly European."

France, since the transactions of Aix-la-Chapelle, is closely united with the courts, who, by their efforts, have re-established peace upon the continent. Deeply impressed with the sacred obligation of treaties, she will fulfil the duties which they impose upon her: — one of the duties thus required of France was, to make known to her allies, the motives which had compelled her to establish an army

of observation on one of her frontiers, and to explain her uneasiness on approaching events, of which it was easy to calculate the chances. In the position in which the agitations in Spain had placed her, common prudence required that she should make herself acquainted with the part which the allied powers would take, in the event of war becoming inevitable.

This line of conduct, which good sense and reason pointed out, the duke de Montmorency was bound to follow at Verona. The sovereigns were of opinion (in which the French government concluded), that there was imminent danger to society, in that military anarchy in Spain, in which those principles were put forth anew, which, during thirty years, had occasioned the misfortunes of Europe. From these general conferences, particular questions naturally arose; and cases which were originally involved in the general interests, became the subject of specific discussion.

The result of these frank communications was, that France found herself placed in a position to act separately in a cause which was, as it were, appropriated to her, without, however, separating her policy from that of her allies; so that, according to the impression which the case conveyed, it might be said, without fear of contradiction, that the question respecting Spain was at once "wholly French, and wholly European."

The undersigned, flattering himself that he has given a satisfactory answer to the first objection of his Britannic majesty's principal secretary of state for foreign affairs, proceeds to the consideration of another point.

The cabinet of the Tuilleries have not forgotten, that the principal motive alleged by his grace the duke of Wellington at Verona, for not explaining himself upon the *causa fœderis*, was, the ignorance of his government of the transactions which had taken place between France and Spain, from 1820 to 1822. That objection was removed at the congress, as it will be here, by the single observation, that the grievances of which France might have to complain, on the subject of the Spanish revolution, were unfortunately of public notoriety! and this is what the undersigned will have occasion to develop in the course of this note.

The minister for foreign affairs of his Britannic majesty, in reply to an observation contained in the note of M. le Duc de Montmorency, dated the 24th December, states that the cabinet of St. James's has never admitted that there was a case to justify intervention in the affairs of Spain; and that therefore it might refuse to bind itself for the future by expressing an opinion upon contingent and uncertain events. The undersigned thinks, however, that he has reasons for not doubting that in a *Mémoire* drawn up by the cabinet of London, in answer to a despatch of the court of Russia, and communicated on the 17th May, 1820, by sir Charles Stuart to the French minister for foreign affairs, an opinion is pronounced that an interference in the affairs of Spain would be justifiable; 1st, if the violence of the persons in power led them to an attack against any other states: 2nd, if Spain attempted to possess herself of Portugal, or to effect a re-union of the two states. This opinion of

the British cabinet appeared at the time as conformable with the general interests of Europe, as with particular interests, to the case of which every government has an acknowledged right to attend.

The undersigned regrets, that he cannot coincide in opinion with his Britannic majesty's principal secretary of state for foreign affairs, as to the little danger to which the Spanish revolution exposes the other powers of Europe. The state of modern civilisation brings one nation into communication with all others, however completely it may be insulated by geographical position. France, especially, the only country whose frontier touches that of Spain, suffers considerably from the troubles which agitate the kingdom of Ferdinand.—A revolution which seems to have taken for its model, that of which the traces are not yet effaced, awakens and agitates in the bosom of France a host of passions and recollections.—Innumerable proofs exist that the revolutionists of Spain and France are in close connexion; and in all the military conspiracies tried by the French tribunals, the name and the hope of the Cortes have invariably appeared. Offenders escaped from justice have found an asylum in the Peninsula, where they menace and insult with impunity, the monarchy and the throne of the Bourbons.—Libels written in French, and printed in Spain, are scattered abroad amongst the army of observation, for the purpose of corrupting it. And even in the English papers the British government has seen that our soldiers were excited to revolt in the name of Spain. These facts were admitted by implication by his grace the duke of Wellington, when, in

his diplomatic notes he attached his approbation to the establishment of the army of observation. The very note to which the undersigned has now the honour to reply, confirms all that he here advances, in citing the following expressions of the noble duke:—“The duke of Wellington made no objection in the name of the king, his master, to the precautionary measures taken by France on her own frontiers, whilst these measures were evidently authorised by the right of defending herself, not only against the danger of infectious disease, but also against the moral contagion of political intrigue; and finally, against the violation of the French territory by casual military incursions.”—This admission is remarkable, and besides, did not Piedmont and the kingdom of the Two Sicilies rise in the name of the Cortes; and is any other proof required, that the Spanish revolution may pass the limits of the Pyrenees? France then has the right to defend herself against moral contagion. It is equally necessary for her to assure herself against dangers of another sort, since the French territory has been thrice violated by the constitutional troops of Spain.

That France, disquieted in her interior, and armed on her frontiers for her defence, should be under an imperious necessity to escape from a position so painful to her, is what it is impossible not to acknowledge. Like the British government, she sincerely desires peace. She would not have hesitated, in concert with her allies, to accept the mediation of England, if the discussion of specific interests were in question; but it is impossible to establish a basis of nego-

tation upon political theories, and of arbitration upon principles.

For the same reason France could not accede to the proposal which M. de San Miguel made on the 12th of this month, to the minister of Great Britain at the court of Madrid, in order to engage that power to interfere in the affairs of the French and Spanish governments—an intervention useless, at the least, since it appears that it would have no other object than measures relative to the army of observation.

If the cabinet of Madrid is sincere in its communications, does it need an intermediate channel to transmit them to the cabinet of the Tuilleries? The latter does not fear to explain itself. Even recently it has made known the reasonable conditions, by means of which a speedy reconciliation might be effected.

The comte de la Garde has received orders to communicate confidentially to sir William A'Court the king's benevolent intentions. His most Christian majesty demands, that his Catholic majesty, should, of himself, and by his own authority, apply the necessary modifications to the institutions which have been imposed on the crown of Spain by the revolt of a few soldiers.

In this free concession by king Ferdinand, of the corrected institutions, the king of France thinks that it would be proper to add, a full and complete amnesty, for all political acts committed from 1822, up to the day of promulgating the royal constitution.—(This would disappear from the Spanish constitution, the defects, in substance, and in form, which endanger all legitimate monarchies. The undersigned feels persuaded, that pro-

positions to just and moderate will obtain the concurrence of all the cabinets of Europe.

The French government having made every sort of sacrifice to the desire of avoiding war; having struggled, perhaps too long, against public opinion, roused by the provocations of Spain—has at length reached that last limit of concession which no power, that respects itself, can with impunity overstep. Injured in her essential interests, France, without ceasing to offer the most ardent prayers for peace, can no longer shut her eyes to the dangers which threaten her. She has already taken, and she will continue to take, the measures best calculated for putting an end to a state of uncertainty, which compromises alike her safety, her honour, and her dignity. Whatever may be the event, France will always have pleasure in relying on the good offices of which the English government has again been pleased to renew to her the proposal. She will herself use her utmost endeavour to draw closer the ties which so happily unite the two monarchies, and the two people.

(Signed) CHATEAUBRAND.

No 14.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, January 28, 1832.

Sir,—Shortly after I had despatched the messenger yesterday, M. de Massélin delivered to me the official answer of M. de Chateaubrand to the note addressed by me to M. de Massélin on the 10th instant.

As it appears from your excellency's despatch of the 24th, which also reached me yesterday, that M. de Chateaubrand, though he stated to your excellency the substance of

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this note, had not furnished you with a copy of it, I think it right to inclose a copy for your information.

Upon a first consideration I am by no means sure, that it will be necessary to reply officially to this note of M. de Chateaubriand; since it in effect admits all the material propositions of the note to which it is an answer.

The questions brought forward by France at Verona are acknowledged to have been French questions, in the sense in which they are in my note described to have been such; that is to say, the interest of France is stated in those questions not as distinct from the interest of Europe, but as more immediate:—and it is not denied, that the refusal of his majesty's plenipotentiary to concur in the decisions of Verona, was founded on the omission by France to substantiate any specific ground of complaint against the Spanish government.

In the subsequent part of M. de Chateaubriand's note, while the assertion of my note of the 10th instant, that Great Britain had in 1820 declined anticipating hypothetical cases in which it might be impossible to remain at peace with Spain, is disputed; the only two cases which are cited in exception to that assertion, are cases wholly independent of the principle of interference in the internal concerns of other nations.

It is avowed, that we admitted the necessity of war against Spain; first, if Spain herself should be guilty of aggression against other states, and secondly and specifically, if she should attempt to possess herself of Portugal.

Unquestionably, with respect to either of those cases, Great Britain would admit, not only prospectively

and hypothetically, and as to Spain, but positively and directly as to any power whatever, that aggression against any of its neighbours would justify war; and that aggression against Portugal would impose upon Great Britain the duty of protecting her ally.

But these admissions leave the question as to the right of interference in the affairs of Spain, where it was.

With respect to that part of M. de Chateaubriand's note which describes the nature of the demands intended to be made by France upon Spain, and takes credit for the moderation of them; your excellency will not fail to observe, that our difference with France and the allies throughout, is not as to the arrangements which it might be desirable to obtain from Spain, but as to the principle upon which France and the allies propose to require them.

We disclaim for ourselves, and deny for other powers, the right of requiring any changes in the internal institutions of independent states, with the menace of hostile attack in case of refusal. The moderation of such demands in no degree justifies in our eyes such a mode of enforcing them; and this distinction it is the more important to keep steadily in view, and to impress upon the French government, at a moment when, for their sake, and at their desire, we are suggesting to Spain, in a tone of friendly counsel, alterations similar to those which France is proposing as the alternative of hostilities.

Your excellency will speak in this sense to M. de Chateaubriand, when you acknowledge on my part the receipt of his official note; from the general tone of which, and from the friendliness of its ex-

pressions towards this country, you will inform M. de Chateaubriand, that his majesty's government derives the liveliest satisfaction; at the same time that it views with deep regret the tendency of that part of the note which appears to indicate an expectation of hostilities with Spain. I am, &c.

(Signed) GEORGE CANNING.

Class B.—PARIS and MADRID.

No. 6.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) Foreign Office, Dec. 29, 1822.

Sir Charles Stuart has transmitted the answer of the French government to the official note presented by the duke of Wellington, at Paris. In that answer (of which I inclose a copy*), the French government, while it declines accepting the proffered mediation of his majesty, on the ground that there is no specific point of difference, to the removal or explanation of which mediation can be distinctly applied, expresses nevertheless the pleasure with which it views the "conciliatory dispositions" of the British government, and the hope which it derives from those dispositions, of the continuance of peace in Europe.

Str. C. Stuart at the same time, reports to me, the instructions which have been transmitted by the French government to their ministers at Madrid.† M. de Marcellus has been with me this morning for the purpose of making, by order of his government, a similar communication.

As the object at Verona was to

induce us to make common cause with all; so the object of France, since she has to a certain degree re-considered for herself the measures framed at Verona, appears to be, to induce us to concur in her separate and mitigated measure.

The truth is, as you are aware, that our objection to joining in the measures settled at Verona was an objection of principle, not of degree; an objection not capable therefore of being overcome by a mere modification of the execution of them.

It would have been idle to offer our mediation to France, if we had been prepared to unite with her in the conditional menace contained in the despatch which she has now addressed to her minister at Madrid—a menace softened perhaps in its terms, and less precise as to the conditions on which it depends than those of the other continental powers, but still vicious in principle, as at once demanding of Spain something to be done in the arrangement of her internal concerns, and denouncing (in however comparatively distant and obscure a manner) war as the consequence of refusal.

In speaking to M. de San Miguel upon the subject of those instructions, you will disclaim for your government any participation in this proceeding of the French government. But you will avow the deep interest which the king, our master, feels in the agitations now prevailing in Spain; his majesty's anxious hope that the Spanish government and nation may avoid any excess, either in action or in language; and his majesty's unabated desire, to employ his good offices, in whatever way may be most useful to Spain, for averting the dangers with which she is

* See No. 12, in Verona and Paris papers.

† Despatch from M. de Villèle to M. Lacaze, dated Paris, December 25, 1822.

1894 ANNUAL REGISTER, 1893.

threatened, and for reconciling her to France and to all Europe.

No. 8.—Sir William A'Court to Mr. Secretary Canning.—Received January 2, 1893.

(Extract.) Madrid, Dec. 24, 1892.

Mr. Jackson is arrived, and has delivered to me your despatches of the 9th ultimo. I am now really inclined to believe that we shall come to an amicable and satisfactory termination of our discussions with the Spanish government.

My conversation with M. San Miguel this morning began by his pulling from his pocket a large roll of papers, with which, he said, he was going down immediately to the Cortes, with the view of requesting authority from that body, to settle every question at issue between England and Spain.

"We are sure of England," he said, "and satisfied with her position; and we hope that the Cortes will enable us to make her satisfied with Spain. We cannot expect her to range herself on our side, nor to send troops or fleets to assist us; but we are persuaded that she will never assist our enemies, nor furnish them with the means of invading us. It is moreover so much her interest to prevent war breaking out between us and France, that it is quite unnecessary to ask for her mediation.—There is certainly nothing to induce us to ask for such a mediation at present; but we are at sea, surrounded by dangers, and menaced by storms, and it is impossible to say that we may not yet require a friendly hand. But we see nothing yet to make it necessary for us to ask any mediation, nor have we at present any intention to solicit one."

I have thought it advisable, sir, to repeat to you this conversation,

that you may be able to draw from it your own conclusion as to the probability of our mediation being solicited. I am myself of opinion that such a step will never be resorted to, till every other hope has failed; and certainly there is nothing in the despatches from Paris, nor in the conversations or conduct of General Legarde, to make this government despair of avoiding a war without our mediation.

(Inclosure in No. 9.)—Memorandum by the Duke of Wellington for Lord Fitzroy Somerset

London, January 6, 1893.

It is important to make the Spaniards feel, that a king being necessary for the government of their country, and a part of their system, as established by themselves—it follows, as a matter of equal necessity, that the powers and prerogatives assigned to the king in the system, should be such as to enable him to perform his duties, and such as, in reason, a king ought to be satisfied with.

If the situation of the king is not what it ought to be—if he has not the power to protect himself, and those employed under him, in the performance of their duty in the service of the public; and if the king has not reason to be satisfied, that the power allotted to him by the law is sufficient—the country will never be in a state of tranquillity, be the system of government what it may.

There will be perpetual, successive, royalist insurrections in one part of the country or the other; and the king and his government will be objects of never-ceasing jealousy and distrust.

The family connexion between his Catholic majesty and the king

of France—and the interest which she latter naturally feels for the welfare of the former—will occasion a perpetual irritation between the two countries, so long as the situation of the king in Spain is not what it ought to be: which it may be expected will, sooner or later, occasion war, and the invasion of the weaker country.

Then, then, those Spaniards who really desire the peace and welfare of their country, must look to an alteration of their constitution, which shall have for its object, to give the king the power of executing his office. I confess that I do not see any objection to this alteration, either in the antecedent conduct of the king, or in the apprehension that his Catholic majesty will abuse the power thus confided to him. The king will feel the advantages of the position in which he shall find himself, and will have no motive for wishing to overthrow the system established, particularly if the alteration is made in concert with him: and, moreover, the spirit of the people, and the exertions of those individuals who have prevented the existing system from being overthrown, will preserve that to be established, even though the king should be desirous of overthrowing it, by the abuse of the power entrusted to him.

This will be the case particularly, if the proposed alterations of the system are concerted with the king. Indeed, no other mode of making these alterations can have the desired effect: as, if they are not made in concert with the king, his Catholic majesty will not cordially carry into execution the system proposed; and, both king and people being dissatisfied, there will still be the same causes for

internal disturbances and for external war as exist at present. The concert with the king on the alterations must be a real one: and the king must be satisfied, that the constitution, as altered, will secure the foundations of his power over the executive government, and will give him the means of protecting himself, his family, and his servants.

Neither do I see any reason for deferring to make these alterations in the recent transactions of foreign powers. Those transactions are all professedly defensive. France professes, by her Army of Observation, to be defensive; and declares that she will not pass the frontier, excepting on the occurrence of certain cases. The alterations of the constitution, on the principles proposed, would render those cases so improbable, as that the continuance of the Army of Observation would be an useless expense; and there is no doubt that it would be immediately withdrawn.

Then, another advantage which would result from this alteration in aid of internal tranquillity is, that France would most probably immediately adopt some efficient measure to prevent the assembly of the royalists within the French frontier. All Spaniards who pass the frontier, might be ordered to reside at such a distance from the frontier, as to render their intrigues or their operations within the Spanish frontier nearly impossible; and thus the asylum given in France to persons of this description, would not be inconsistent with the peace and tranquillity of Spain.

But this is not all. The Spaniards must see, that all the sources of the prosperity of their country are nearly destroyed; and that the

very foundations of social order and government are in a state of risk. There is no trade, no private or public revenue: the national property cannot be sold: the interest of the national debt cannot be paid; nor can the army, or any of the public servants or establishments; and no money can be borrowed.

I happen to know that the principal monied people in Europe, will not lend their money to Spain, till they shall see a system prevail in that country, which shall afford some hope of the re-establishment and permanence of peace and good order.

If all this be true—if it be true, besides, that the best chance that Spain has of coming to some arrangement with her colonies, is to be found in some settlement of her internal dissensions and distractions, it is impossible that any reasonable Spaniard can doubt that the time is come to effect those alterations which the common sense of mankind points out to be necessary.

No. 10.—Mr. Secretary Canning to Sir W. A'Court.

Foreign Office, January 6, 1823.

Sir,—This despatch will be delivered to you by Lord Fitzroy Somerset, who has the goodness to undertake a journey to Madrid (without any official character), in the hope of being useful to you in the very difficult and complicated state of your present negotiations, through his acquaintance with some of the prominent characters, among military and other public men, in Spain; and through the knowledge which he possesses, and is known to possess, of the views and opinions of the duke of Wellington.

There may be those among the leaders of the Cortes, or in the offices of the executive government, who would listen to friendly counsels, coming from a man to whom Spain is so deeply indebted as the duke of Wellington, and to whom her welfare is naturally as dear, from the very services which he has had the glory of rendering to her, though they might turn a deaf ear to any other suggestions.

The object of England is, to preserve the peace, of which her exertions have prevented the immediate interruption. But it is much to be feared that peace cannot be preserved, if things remain in their present state, both at Madrid and on the frontier of Spain.

France can hardly be expected to withdraw her army of observation, without some assurances from Spain, which she may plead as satisfactory. We ask no such assurances for ourselves, and we annex no penalty to the refusing or withholding them: but it would enable us to do much, that such assurances should voluntarily be given to us; and perhaps they may be given less reluctantly through the confidential friend of the duke of Wellington, than directly to yourself, even if you were authorized officially to receive them. The interval is precious, and it is hoped that it may not be thrown away.

I inclose to you a copy of a letter* which I address to Lord Fitzroy Somerset, and of a memorandum with which he is furnished by the duke of Wellington.

You will see that he is to consult your judgment as to the occasions on which, and the individuals with whom, it may be appropriate.

* No. 9, and inclosure thereto.

that he should enter into communication; that he will report to you whatever passes in such conferences; and that the length of his stay and the time of his departure are to be determined with your advice. I am, &c.

(Signed) GEORGE CANNING.

No. 12.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 9, 1823.

(Extract.) Madrid, Decem. 26, 1822.

I saw M. de San Miguel again this morning, who continued to speak in the same friendly tone as during our last conference, and repeated his assurances that every thing respecting our claims should be arranged to our entire satisfaction, provided the Cortes granted him the faculties he demanded.—This I trust will be done.

In the course of this conference M. de San Miguel said, that he fully understood our position, and our friendly intentions towards Spain; which arose indeed from a conviction of our own interests. It never could tally with English policy, that France should be in military occupation of Spain.

He then added, that, from every report which had lately reached him, he did not believe that any war was likely to take place. The Congress was over, and the great continental sovereigns had retired to their respective states, leaving every thing to France: and he had reason to believe that France was by no means in those decidedly hostile intentions which there had once been reason to apprehend.

With respect to the possibility of any future solicitation of British mediation, he gave me to understand that it was a question of so delicate a nature, and necessarily

as dependent upon contingencies, that, he wished, at present, to say nothing upon the subject. If ever such a solicitation took place, it would be done in the most open, frank, and unreserved manner, by an official written document, which should leave no doubt upon the mind of one party, as to the intentions of the other.

I shall draw no inferences from this conversation, nor argue upon the probability or non-probability of our mediation being solicited; as you, sir, will be much better able to judge correctly of this matter, from the communications you receive of what is passing in the cabinet of the Tuilleries. This despatch will be forwarded by a Spanish messenger, who leaves Madrid for London, either this evening or to-morrow morning.

No. 13.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) Foreign Office, Jan. 11, 1823.

I was about to send this messenger to you the day before yesterday, with my despatch of that date, when your's by the Spanish messenger arrived.

Its contents, though not conclusive, are highly interesting; and if the hopes which you hold out, with respect to the settlement of our claims, are realised, you will have rendered a great service to your country.

You have judged quite correctly in not pressing the mediation of his majesty. The refusal of the French government puts any formal exercise of it now out of the question. But, substantially, our good offices may do all that the most regularly accepted mediation could have done.

The position, in which the Spanish and French governments

stand towards each other, cannot last. Every day brings with it the hazard of an accidental infraction of peace on the frontiers; and the smallest such infraction might confound all our hopes and endeavours. Till France shall withdraw her Army of Observation, there is no security against such hazards. France cannot withdraw her army (it is fair to admit) without some cause to assign for doing so. The only cause to be assigned must be some satisfactory assurance received from Spain. Spain may be reluctant to give such assurances to France, under the apparent influence of a menace. But she may confide them to us, who neither require them, nor threaten any consequence of withholding them. If Spain has griefs against France, she may, in like manner, confide to us the statement of them, as an inducement to France to be satisfied with less concession.

Such is the summary of the present state of things, on which depends the fearful alternative of peace or war. We earnestly desire the former; not only for our own interest, as M. de San Miguel suggests, but for the larger interests of Europe (those of Spain herself included), in which ultimately, if not immediately, our own no doubt may be involved.

We wish for peace, therefore, in Europe: but peace for ourselves we are determined, at all events, to preserve; and should our efforts to maintain it between France and Spain prove abortive, we shall have the consolation to have discharged the duty towards both, of a faithful and disinterested ally; and shall retire thenceforth within the limits of a strict neutrality.

This last topic you cannot state too clearly, nor press too strongly

upon M. San Miguel; and that we not wanting those who may wish to inspire him with the notion that the anxiety which we manifest to rescue Spain from the war, is an earnest of a determination to join her in the war, if it should ever open her. I have discouraged in the most decisive manner some obscure indications of a wish and hope of this kind, in the Spanish mission in this country.

No. 14.—Sir William A'Court to Mr. Secretary Canning. — Received Jan. 20.

Madrid, January 7, 1833.

Sir:—Long before this despatch can reach you, the final determination of the cabinets of Austria, Russia, and Prussia, as well as that of the cabinet of the Tuilleries, will have left little doubt on your mind as to the probable issue of the negotiations (if negotiations they may be called) undertaken with the government here.

It is therefore unnecessary for me to do more than give a succinct statement of events in this capital, from the period of their arrival to the moment of writing this despatch.

The French minister, as might have been foreseen, had the start of his colleagues, having received his letters two or three days earlier than they received theirs: he made use of this time to give the favourable impression of the intentions of his government; to which his attention appears to have been directed by his instructions; and he had already prepared the Spanish government thoroughly to understand the position in which France had placed herself, long before any intimation could be given, by the representatives of the other continental powers, of

the intentions of their respective courts.

The Spanish government, thus set comparatively at ease with respect to France, and sure of the neutrality of England, could not be expected to pay any very great attention to the vague suggestions of three distant powers, couched in language very far from consiliatory. Instead then of any intimidation being exhibited, or any point being yielded, the tone adopted by the Spanish government has been that of conscious security. No written answer to the several communications has indeed been given; but it has been promised: and there is every reason to suppose that, when it arrives, it will be found to be in the sense which this feeling would naturally dictate; and that the departure of the Austrian, Russian, and Prussian representatives must necessarily follow. The French minister will remain.

I must do the Spanish government the justice to say, that, so far as I can perceive, it has not assumed any improper manner, or exhibited any extraordinary presumption upon the present occasion. M. de San Miguel, indeed, in his conversations with me, since the arrival of the despatches above-mentioned, has spoken in a tone of much greater moderation, and has held out much greater hopes for the future, than he ever ventured to express before:—he more than intimated, that modifications might be effected, whenever the country should be relieved from the danger of foreign interference.

The contents of the communications made have not yet been sufficiently digested by the public, to allow me to speak with any certainty of the general feeling.

Upon the whole, however, I do not observe any very great effervescence; nor do I, as yet, see any reason to fear that any personal insults will be offered to the representatives of the allied sovereigns. The town remains perfectly tranquil. I have done, and shall continue to do, every thing in my power to allay the irritation which may exist, and to prevent the adoption of violent measures. The friendly and cordial feeling upon which M. San Miguel and I now stand, makes me hope that my endeavours will not be entirely useless. I have the honour to be, &c.

(Signed) WILLIAM A'COURT.

No. 15.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 20.

Madrid, January 10, 1823.

Sir;—The despatches received and communicated to this government, by the representatives of the three continental powers, were yesterday presented and read to the Cortes, by M. de San Miguel, in a public sitting. He at the same time read the answer addressed to the Spanish ministers at Paris, but previously communicated to M. Lagarde; and the despatches addressed to the Spanish representatives at the courts of Austria, Russia, and Prussia, in answer to the communications made by the respective *chargés d'affaires* of those powers residing here.

The answer to the French despatch contains nothing that can be deemed offensive. The answers to the others will probably be considered in that light. I inclose a gazette containing all those documents, which the immediate departure of the courier will prevent me from getting translated.

The Cortes exhibited a great

degree of temper and moderation. M. M. Arguëlles and Galiano immediately moved that no discussion should be entered into for the moment, but the whole be referred to the foreign committee; alleging, that a certain time should be given for passion to subside—it being highly desirable that the members should come to the discussion of so grave a subject, with the temper and decorum becoming the Spanish character and nation. The papers were consequently referred to the committee for foreign affairs, to report upon the same; and the committee was also instructed to prepare an address, to be presented by the Cortes, to the king, pledging the nation to reject all compromise with foreign powers, unbecoming the dignity of their country; and expressing their determination to die, if necessary, in defence of the constitutional throne. The committee was ordered to report in forty-eight hours.

As it was not very generally known that these documents were to be publicly read, the house was by no means full. The galleries were disposed to be a little riotous, venting their constitutional ardour in repeated cheers, and a few ill-supported cries of "Death to all Tyrants, &c. &c." Upon the whole, however, the sitting may be said to have passed over with order and tranquillity.

I cannot help thinking, that some of the moderation exhibited, may be due to the language which I have uniformly held, as well to M. de San Miguel, as to others who have considerable influence. I certainly prevailed in preventing passports from being sent, unasked, to the three *chefs d'affaires*, as was at first intended. This is perhaps not gaining much, as they

will be immediately applied for by them; but still it prevents what might hereafter be construed into a fresh ground of offence, on the part of this government.

Not to leave any measures untried for the preservation of peace, I have also opened myself in the most unreserved manner to the French minister, offering to co-operate with him by every means in my power for that first of objects. Till within these few days, he appeared to be as anxious as myself to prevent things from coming to extremities; but since the arrival of the last courier from Paris, I have observed a difference in his tone, which I cannot but attribute to fresh instructions. He informed me yesterday that it would be impossible for him after the departure of his three colleagues, to allow the slightest offence or insolent pass without immediately demanding his passports. The persuasion upon his mind now seems to be that a war is inevitable.

If the French government be determined on war, it will certainly be impossible for us to prevent it from taking place; yet I have very strong reasons to believe, that I shall receive from the Spanish government, within forty-eight hours, an application for our good offices (though I fear not for our mediation); and I cannot but hope, that, if this be the case, it will give a fresh aspect to affairs. If such an application reach me, I shall request Mr. Jackson to set off with it immediately for London; but I cannot assure you positively that it will be made, till I hold the application in my hands. I have the honour to be, &c.

(Signed) WILLIAM A'COOKE

(Translation of Inclosure in No.

16.)—M. de San Miguel to Sir William A Court.

Madrid, January 12, 1823.

Sir ;— Under date of the 9th inst. an official copy of the late communications which the representatives of France, Austria, Prussia and Russia at this court, have made to the Spanish government, by order of their respective courts, together with the answers given to them, was forwarded to Mr. Jabat, his majesty's minister plenipotentiary in London. At the same time orders were given to the aforesaid minister, to read the whole of this correspondence to his Britannic majesty's secretary of state for foreign affairs, and to declare to him, that the principles and resolutions of the Spanish government would never differ from those consigned in these documents.

His Catholic majesty's government will, consequently, have but little to add in the note which I have now the honour to address to you, by royal order, together with the inclosed gazette ; which contains an official and authentic copy of the communications in question, which are not forwarded to you for want of time.

You, sir, who have been an eye-witness of the events which have occurred in this capital during the last three months, and of the scene which it has presented during the last three days, can inform your government better than any one else, of the firm determination of all Spain to defend her national independence at all hazards, and never to acknowledge a right of intervention on the part of any foreign power. The justice of the cause of the nation is so obvious, and its right to be independent so sacred and imprescriptible, that his

majesty's government would think it an affront to your judgment, sir, to dwell any longer upon this point.

Any defect, which the present constitution of Spain may have, ought to be discovered and remedied, freely and spontaneously, by the nation itself. The contrary would tend to establish a right of the most terrible and insupportable oppression. The Spaniards are, at present, identified with the constitution promulgated in 1812.— They all behold in their present monarch Don Fernando the 7th, the sacred and inviolable person of their constitutional king ; and it cannot be concealed from you, sir, that this respect professed to the king, is extended to all the members of his royal family.

Spain, unvarying in her principles, awaits calmly, the result of the answers which have been given to the communications of the four great continental powers ; but she flatters herself, however, that blood will not be shed in Europe, for questions so evident in themselves ; and that France will lay aside her system of precaution, as she calls it (*su llamado sistema de precaucion*), which, without being of the slightest utility to her, is the source of so many evils to Spain.

To England, who has taken in the conferences at Verona so moderate and pacific a line, it now belongs to crown the work ; and to prevent an effusion of blood, which can be productive of no possible advantage to the interest of any nation. To England, too, belongs the task of making the French government perceive the error which it is committing, in taking measures and precautions, which only produce contrary results to those, which it states itself to have in view.

The existence of its Army of Observation on the Pyrenees, and the protection afforded to the insurgents, are entirely incompatible with that tranquillity, which the French government says it wishes Spain to enjoy.

His Catholic majesty's government hopes that this fatal contradiction will at length disappear:—and, in attaining this object, it feels that it can no where look for more effectual assistance, than from the cabinet of Great Britain, the exercise of whose influence to this effect, will not, it trusts, be denied.

I beg, sir, that you will be pleased to lay before your government, the communication which I have now the honour of making to you, and I embrace this opportunity of renewing to you the assurances, &c. &c.

(Signed) EVARISTO SAN MIGUEL.

No. 17.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, January 24, 1823.

Sir;—I enclose to your excellency a copy of a note [See Inclosure in No. 15], which M. de San Miguel, the Spanish secretary of state, addressed to sir William A'Court on the 12th instant, and requested him to transmit to his government.

The object of this note is, as your excellency sees, to obtain the good offices of his majesty's government with France, for the purpose of averting hostilities.

It is needless to repeat to your excellency, how anxiously the king, our master, deprecates a war between two powers, whose collision must so deeply affect the general tranquillity of Europe; or how confidently his majesty infers from the desire for peace, so repeatedly expressed by his most Christian

majesty's government, a disposition on their part to avail themselves of every opening for adjustment and explanation with Spain.

I have therefore received his majesty's commands to direct you to request an audience of M. de Chateaubriand, so soon as this despatch shall reach you; to read to him M. de San Miguel's note; and to inform him, that Mr. Jackson (who was the bearer of sir William A'Court's last despatches, and by whom this despatch will be delivered to you), will wait at Paris, for the result of the deliberations of his most Christian majesty's cabinet upon M. de San Miguel's note, in order to convey to sir William A'Court your excellency's report of that result.

In your conversation with M. de Chateaubriand, your excellency is not to over-rate the value of the concessions, implied, rather than distinctly expressed, in the note of M. de San Miguel; nor to represent it as completely satisfactory, and as leaving nothing to be desired:—but it is just and reasonable, at the same time, to consider the circumstances under which it was written.

Assuredly the more enlightened part of the government, or of the Cortes, of Spain, does not believe the Spanish constitution of 1812 to be, in all its parts, usefully and permanently practicable. But if there exist imperfections in the frame of the government of France, or of England respectively, should we consent to reform those imperfections, on the demand of a foreign power, and under the menace of a foreign war as the penalty of our refusal?

Even by the mode in which the demand was made by France, that part of the Spanish government

ation, which might be willing to undertake those ameliorations of the present constitution of Spain without which it is alleged to be unsafe to her neighbours, has been placed in a situation of great difficulty. Is it not plain, that the same proposition completely changes its nature, according to the manner in which it is brought forward?—that one, which, if submitted through the regular channels of diplomacy, might be matter of wholesome advice or amicable remonstrance; when addressed to a nation abroad, and in the presence, as it were, of all the world, becomes a taunt and a defiance? The publication of the despatch to M. Lagarde, while it was yet on its road to Madrid, is, I know, defended by the alleged necessity of tranquillizing the public mind at Paris. But if the public mind at Paris required to be tranquillized, was not the public mind at Madrid liable to be inflamed?

Your excellency will not understand these observations to be made with any view of incalpinating the proceedings of the French government, with which, abstractedly, we have no concern.

I would recall M. de Chateaubriand's attention to the situation in which the French government has placed itself towards Spain, by the manner in which her first alternative for war has been proposed—only for the purpose of impressing upon the French government the necessity of not omitting any fresh opportunity, however little promising they may deem it, for again stating to Spain the grounds of their dissatisfaction and the nature of their demands.

The French government desires to secure itself of the safety of the royal family of Spain, and of a dis-

position in the leading members of the Cortes, as well as of the government, to turn to advantage any occasion that may occur, of that can be created by a prudent and gradual course of measures, for the remedy of the defects in the Spanish constitution:—a channel is now opened to the French government for endeavouring to arrive at those assurances. A precipitate removal of the royal family from Madrid—would be the instant and infallible consequence of the march of a French army across the frontier. If the amendments in the Spanish constitution are absolutely necessary and it is hopeless to bring about those amendments otherwise than by arms—has the French government chalked out to itself the course by which a successful invasion is to be made to lead to the desired result? The occupancy of Madrid, as repeated experience shows, is not the dominion of Spain. The king and the Cortes will be established elsewhere, and what is then to follow but a continuance of civil and foreign war, spreading misery and devastation over the whole kingdom?

These considerations your excellency will suggest to M. de Chateaubriand, in a tone of perfect unity and good will; and with the assurance of the most entire persuasion, on the part of his majesty's government, that the prosperity and tranquillity of France are objects in which Great Britain has herself the deepest concern. It is seen and acknowledged here, and acknowledged with no feelings but those of congratulation and satisfaction, that every year's continuance of peace to France, will consolidate more and more her political institutions; and promote

those improvements in her interior condition and resources, which assure to her the high rank that she holds among European nations. But in proportion as we feel this sentiment sincerely, we deprecate the fearful experiment of a war, in which there is so little to gain by success; and at a hazard which appears to us as imminent as unnecessary.

The immediate object, however, of your interview with M. de Chateaubriand is, to bring before him the overture from M. de San Miguel; to offer his majesty's minister at Madrid as a channel of communication with the Spanish government; and to assure the French government of the anxious desire of his majesty, to promote, in that or in any other way, the attainment of such a settlement with Spain, as France may deem consistent not only with her safety but her honour.

This despatch will be delivered to your excellency, I hope, on Sunday; so that you will have an opportunity of communicating to M. de Chateaubriand the Spanish note, the day before the meeting of the Chambers.

I trust the new opening which it affords for discussion and possible accommodation, may be felt as some relief to the French government, under the difficulties of their present position. I am, &c.

(Signed) GEORGE CANNING.

No. 19.—Sir Charles Stuart to Mr. Secretary Canning.—Received January 26.

(Extract.) Paris, January 23, 1823.

I saw M. de Chateaubriand yesterday. He told me that the duke of San Lorenzo had communicated to him the instructions which had been laid before the Cortes—that

he must admit the moderation with which M. de San Lorenzo had spoken, respecting the situation of the two governments; but that a conciliatory tone is assumed by the agents of Spain, which does not prevent the adoption of principles the most incompatible with the tranquillity of Europe, by the government and by the legislature of that country—that at the moment they admit all the defects of their constitution, their readiness to concur in measures to produce a change; and their wish for the publication of a general amnesty, their activities are the most active in their endeavours to organise revolt in France:—in short, that the enormity of the evils resulting from war is not to be compared with the consequences which must result from the success of intrigues which the French ministers have no means of preventing during the continuance of peace. Without questioning the sincerity of the efforts of his majesty's government to maintain peace, he is convinced that it is impossible seriously to press the subject on the Spanish government in sufficient time to lead to the result we desire. The language of the French ministers shows that they would be glad to avail themselves of the publication of an amnesty, accompanied by any change, however trifling, if brought about by the authority of the king of Spain, which might enable them to avoid a declaration of war.

No. 20.—Mr. Secretary Canning to Sir William A. Court.

Foreign Office, January 26, 1823.

Sir,—Mr. Jackson arrived here on Tuesday night with your despatches to the 18th of this month, and on Friday that gentleman was

re-despatched to Paris with instructions to sir Charles Stuart, founded on M. San Miguel's note of the 12th instant, requesting the good offices of his majesty for the prevention of war with France. A copy of these instructions his excellency is directed to transmit to you by Mr. Jackson, and to apprise you of the result of his execution of them.

Since Mr. Jackson's departure for Paris, I have received your despatch of the 16th instant, and therewith despatches from sir Charles Stuart, which appear somewhat more favourable to the preservation of peace, than any of the late reports from Paris.

As you will receive by Mr. Jackson, intelligence from Paris of five or six days later date, and so much the more important as the meeting of the French chambers will have taken place in the interval, it is useless for me now to speculate on events, which will be to you, when this despatch reaches you, matter of positive information.

I shall therefore at once proceed to state the course which you are to follow in either of the two possible alternatives,—1st, of the government of France having decided for war,—2ndly, of its having consented to avail itself of the opening presented by M. San Miguel's note; and to make known through you to the Spanish government, the conditions on which it may be prepared to withdraw its Army of Observation.

In the former case, you have nothing to do, but to profess anew his majesty's fixed determination, to maintain during the war a strict and impartial neutrality; always ready at the same time to

interposition of his good offices; if balanced success, or a reviving sense of common danger and mutual interests, shall better incline the contending parties to accommodation.

In the other case, you will probably receive from sir Charles Stuart a statement of the terms which the French government deem indispensable, either for their honour or for their safety, in breaking up that system of precaution, the continuance of which operates as a bar to pacification; and the time will then be arrived at which you can, without the suspicion of a dictatorial or an un-called-for interference, press earnestly upon M. San Miguel a frank and friendly opinion, in support of such of these terms as appear to you to be not unreasonable. The amnesty which, if issued in the king's name, would, as it appears from sir Charles Stuart's despatch of the 23rd, be satisfactory to the French government, it is unnecessary for me to instruct you to urge; since you have informed me of your intention to urge it to the utmost of your power. Neither you nor the French government have over-rated the effect which such an act would be likely to produce throughout Europe.

To liberate the person and family of the king not only from danger, but from the appearance of restraint,—to give something like force and free-will to the actions of the executive power—to rescue the deliberations of the Cortes from the overawing influence of the Clubs—are, next after the amnesty (which should perhaps precede them all) the alterations the most desirable, and those which would give the greatest confidence to foreign nations.

These and any other objects of the same sort and with the same tendency, we are now, after the clear and practical proofs which we have given of our indisposition to claim any thing as of right, or to enforce any thing by menace, for the amendment of the Spanish constitution, warranted to recommend, with all the earnestness which is prompted by our tried friendship for the Spanish nation; by our experience of the practice of free government; and by our conviction of the sufferings and the perils which must be derived to Spain, and to Europe from war.

So long as our voice might have been confounded with those of other powers, who took a different measure of their right of interference—or with that of France, whose exhortation was accompanied with denunciations of hostility, we abstain from advising, rather than incur the imputation of attempting to control. But now, that the possibility of such misrepresentations is at an end, we cannot see the obvious dangers into which the present course of Spanish affairs is leading a brave and gallant people, and be silent; without abandoning the duty which is prescribed, no less by the obligations which international law imposes upon friendly states, than by the peculiar ties which connect Great Britain with Spain.

You will keep Sir Charles Stuart constantly informed of the course of your discussions with the Spanish ministers. I am, &c.

(Signed) GEORGE CANNING.

No. 22.—Sir Charles Stuart to Mr. Secretary Canning. — Received January 30.

(Extract.) Paris, January 28, 1823.
I received your despatches of the

24th instant on Sunday evening; when I immediately called upon M. de Chateaubriand, for the purpose of communicating to his excellency the note from M. de San Miguel, under date the 12th instant; and on the following morning I went over the reasoning contained in your letter, with a view of pointing out to the French minister, the necessity of not closing the door against an overture which offers the only remaining chance of maintaining the tranquillity of Europe.

The French minister told me, that the substance of M. de San Miguel's paper had already been transmitted to him from Madrid; but that it had not been communicated to him sufficiently at length to show that M. de San Miguel merely demands the dissolution of the Army of Observation, without holding out any hope whatever of a concession upon points which menace the vital tranquillity of this country; though he must be well aware that, in the present situation of affairs, no French minister would be bold enough to propose such a measure, unless it should be justified by a corresponding concession on the part of Spain.

He added, that, under these circumstances, the king is compelled to assume a decisive tone in his discourse to the legislative bodies; and that in announcing the corrections of the diplomatic relations between the two governments, it is necessary to show that they cannot be re-established, until the origin of the mischief, with which the Spanish revolution menaces neighbouring countries, has been removed; by assimilating their institutions to those of other limited monarchies, under an act on the part of the king of Spain declaring the constitution to emanate from the crown.

He hoped the anxiety of my government to maintain peace, would induce you to instruct sir William A'Court to convey these sentiments to the knowledge of the Spanish government; and to impress upon the ministers the expediency of not refusing to admit the only measure of which it is possible, in the present situation, to take advantage, with a view to the attainment of that object.

No. 24.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 2nd.

(Extract.) Paris, January 30, 1823.

Having sent off a messenger on Tuesday, at the moment a printed copy of the speech from the throne was put into my hands, I was unable to make any observations upon that subject in my despatch of the same day.

M. de Villèle, whom I accidentally met on Tuesday evening, appeared surprised to find that I did not consider the language of the speech perfectly in unison with the tenor of his excellency's former assurances. He said that, the violent alternative, to which the king refers, is mentioned in a *conditional* sense.

I could not avoid expressing my regret, that this public manifestation of demands for such changes in the Spanish constitution, as the leaders in that country would hardly be persuaded to attempt, should not leave his most Christian majesty the means of receding from the position in which he has been placed.

Notwithstanding the strong evidence of preparations for hostilities, I find both this minister, and his colleague, M. de Chateaubriand, continue to answer the representation of the consequences which

VOL. LXV.

must result from a rupture, by assurances that they do not participate in my uneasiness upon the subject, because they yet continue to entertain hopes that war will not take place.

No. 25.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, February 3, 1823.

Sir;—On the same day on which your excellency's despatches of the 28th, one of them inclosing the speech of the king of France at the opening of the Chambers, arrived here, M. de Marcellus called upon me for the purpose of communicating a copy of that document.

In making this communication, M. de Marcellus took occasion to declare the unabated desire of his government for the preservation of peace; to renew in a more precise and formal manner their request of his majesty's good offices for that object; and to express their hopes, that our intervention at Madrid might yet avert an extremity, which (it must be confessed) the language of the French speech, unaccompanied by such a commentary, might have been understood to announce as unavoidable.

Such an intimation from the French ministry, at the moment when the decision of the king of France for war is the subject of general regret and alarm, places his majesty's government in a situation of great embarrassment; an embarrassment which is the more sensibly felt by them, on account of the necessity of making some disclosure of opinion in the speech to be delivered from the throne, at the opening of the session of parliament. On the one hand, his majesty's government would not willingly either risk the misfor-

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tune, or incur the responsibility, of closing, by any act of theirs, the door which the French government declare to be still open. On the other hand, the sense of the suspensive and conditional particle in the speech of the king of France, on which the possibilities of peace are supposed to hang, is so much obscured by the ambiguous character of the condition with which it is connected, that it is very difficult to estimate its real value.

It has become necessary on this occasion, to reconsider maturely the position in which his majesty's government stands towards that of France.

The answer which has uniformly been given by the British government to the questions put by France, as to the course which his majesty would pursue in a war between France and Spain, has been, that no opinion could be formed on that point, in the ignorance in which his majesty's government were as to the causes of complaint which France might have against Spain. Nothing has even yet been precisely stated to them on that subject. General danger from the nature of the present political institutions of Spain—danger to the king and royal family of Spain—attempts on the part of the Spanish government to corrupt the minds of the French people, and to seduce the soldiers of the Army of Observation:—these, coupled with the undeniable facts of three or four occasional violations of the French territory, constituted the sum of grievances which have been alleged, at different times, against Spain by the French government. up to the publication of the speech of the king of France.

In charges such as these, especially when urged (as some of these

were at Verona) only as the grounds of a system of defensive preparation, his majesty's government saw nothing which rendered an accommodation hopeless. Spain on her side has, or professes to have, grievances to plead against France, of similar intermeddling with her people and her army. She alleges that France has encouraged dissension and disaffection at Madrid; and that she even by money and other means fomented and stimulated the tumult of the 7th of July.

Such mutual recriminations appeared to the British government to furnish the elements of a discussion, in which something would be to be explained on either side; and in which reconciliation might at last result from mutual compromise and concession.

In this state of things the mediation of Great Britain was offered; and, under these impressions, her good offices have been employed. The question so far turned, principally, if not exclusively, upon facts; there was no declaration of principle absolutely precluding negotiation. But as the nature of the present political institutions of Spain was put forward, as being of itself a source of danger to France, and, at the same time, as susceptible of modifications by the voluntary act of Spain herself, which would remove the apprehension of that danger, and consequently open the way to amicable discussion on other points; the British government endeavoured to learn from France, what were the modifications in the Spanish constitution, which would give to France an assurance of safety and tranquillity; and they have not hesitated to advise, at Madrid, an attempt to bring about some such modifications; or

at least the declaration of a disposition to consider of them when the time should be more propitious for a change.

There is no conclusive reason to apprehend, that if the influence of British counsel had been left to its own operation (considering the weight of the authority under which it was offered) it would have been offered in vain. Even after the communication to the Spanish government of the despatches of the continental powers, the Spanish minister expressed distinctly and formally the wish of his government, for the good offices of Great Britain with France; and we were not without hope of a favourable answer to the suggestions proposed through lord Fitzroy Somerset, when we received the speech of the king of France.

The principle put forward in that speech, as the basis of the French demands upon Spain, is liable to a double construction. If, as we are desirous of believing, the sentiment intended to be conveyed is no other, than that, in order to give stability to any modification of the present system in Spain, and to afford sufficient assurance to France to justify her in discontinuing her warlike preparations, the king of Spain must be party and freely consenting to any such modifications; and if your excellency shall obtain from the French minister an avowal that such is the intention of the speech; the British government will be most happy to continue at Madrid their amicable and earnest endeavours, to ascertain the means, and to recommend the policy of accommodation.

But it would not be right to conceal from the French minister, that a different construction is ge-

nerally put upon the paragraph to which I refer. It is construed as implying, that the free institutions of the Spanish people can only be legitimately held from the spontaneous gift of the sovereign, first restored to his absolute power, and then divesting himself of such portion of that power as he may think proper to part with.

The Spanish nation could not be expected to subscribe to this principle; nor could any British statesman uphold or defend it.

We can conscientiously recommend to Spain to modify her constitution of 1812. The law of nations warrants the suggestion from one friendly power to another, of counsels for the melioration of internal institutions, provided that suggestion be made in good faith, and not in a spirit of dictation; and provided it be not attempted to be supported by force. But the British government could not advise any people, in adopting changes however beneficial, to admit the principle on which (according to this latter construction) the speech of the king of France would be understood to prescribe them. It is indeed a principle which strikes at the root of the British constitution.

The British government does not presume to hold out its own political institutions, as the only practical system of national happiness and freedom. It does not presume to question the freedom and happiness which France enjoys under institutions emanating from the will of the sovereign, and described as *actroyées* from the throne. But it could not countenance a pretension on the part of France to make her example a rule for other nations; and still less

could it admit a peculiar right in France, to force that example specifically upon Spain, in virtue of the consanguinity of the reigning dynasties of those two kingdoms. This latter reason would, on the contrary, suggest recollections and considerations, which must obviously make it impossible for Great Britain to be the advocate of pretensions founded upon it. I am, &c. &c.

(Signed) GEORGE CANNING.

Memorandum—A copy of this despatch was transmitted to sir William A'Court on the 4th of February.

No. 27.—Mr. Secretary Canning to Sir William A'Court.

(Extract.)

Foreign Office, Feb. 9, 1823.

You will have learnt, by the ordinary modes of intelligence, the opening of parliament, and the reception, in both Houses, of that part of the king's speech which relates to the present position of France and Spain.

What impression may be made on the French government by this unequivocal disclosure of public opinion in England, I cannot pretend to foresee; but it can hardly be other than such, as,—if it were met at the same time with any reasonable facility on the part of Spain, which would afford to France a retreat without dishonour—might lead to a reconsideration of their plans, and yet arrest the fatal blow which is to commence hostilities.

I trust, however, that the report which the Spanish government may receive of these proceedings, will not lead them into a false security, by inducing them to place their hopes of extrication from their difficulties in a war between this country and France.

Neither the determination nor the means will be wanting to vindicate, in any case, that might arise, either our honour, or our interests. But this consideration does not affect the immediately impending conflict between France and Spain. It is to the prevention of the commencement of the war, that the anxiety of the British government is, at this moment, exclusively directed; and that it is desirous of directing the deliberations of the Spanish government; and the way to defer the present execution of the project of invasion of Spain is, that Spain should furnish us with some proposition, such as we could submit to the French government, with an earnest appeal to its policy as well as to its justice.

No. 28.—Lord Fitzroy Somerset to Mr. Secretary Canning.—Received February 10th.

(Extract.)

Madrid 3, January 25, 1823.

With the approbation of sir William A'Court I communicated to ———, on the 22nd instant, the nature of the commission with which I was entrusted; expressing to him my hope that in a matter so materially affecting the welfare of his country, I should have the benefit of his assistance and co-operation.

I informed him that his majesty's government continued to adhere to the determination on which they had hitherto acted, of not interfering in the internal concerns of Spain; but that, deeply alive to the difficulties of her present situation, and most anxious to prevent her rupture with France, they had thought proper to try the effect of a confidential communication, which

should make known to the leading characters in this country the sentiments of the duke of Wellington, who, as the friend and well-wisher of Spain, had consented to state his opinions, on the necessity of some alteration in the existing constitution.

I, at the same time, begged him to bear in mind, and to impress on those with whom I trusted he would communicate, that England demanded nothing of Spain; that she suggested nothing officially, and that her sole object in touching in any way upon so important a question, was the hope that it might lead to the adoption of a system, which should put an end to civil dissensions, and lessen the probability of a war with France.

I afterwards read to him the duke of Wellington's memorandum.

————— was evidently a good deal startled at my communication, for which he professed himself to be quite unprepared; and he at once declared his conviction, that he could not be instrumental in the attainment of the objects to which I had called his attention.

He gave the British government full credit for the conduct they had pursued during the congress at Verona. He was deeply sensible of the value of the duke of Wellington's exertions on that occasion, and of his constant solicitude to promote the happiness and secure the independence of Spain; but, in the present situation of the country, he could not disguise from me the difficulty of prevailing upon any party to act upon the suggestions which were thrown out for their consideration in the duke's memorandum.

He acknowledged the defects of the constitution, and admitted the propriety of taking into considera-

tion the expediency of modifying it hereafter, when such a proceeding should not be illegal.—He felt equally with myself the imminence of the danger to which the country was exposed, and that war was the inevitable consequence of a refusal to modify the constitution. Such a measure being, however, out of the question, the government had, in his opinion, nothing to do, but to await the evil which they could not avert.

Seeing that my reasoning made no impression upon ———

and that his reluctance to become a party in proposing any alteration in the present order of things was not to be overcome, I refrained from pressing him further on the subject; having first, however, prevailed upon him, as an act of kindness to me, and of duty to his country, to mention to some of the gentlemen of the Cortes, in whom he could confide, the nature of the commission with which I was charged; and the reasons which induced the duke of Wellington to think, that the time was arrived when Spain should make an effort to effect such an alteration in her present system of government, as might tend to put an end to the disturbances of which she is the theatre, and to satisfy her sovereign and his allies.

I have found several of my old acquaintances who are neither in the Cortes, nor in any situation of responsibility, very ready to enter into conversation with me on the difficulties by which Spain is now surrounded, and on the necessity of some modification of the constitution. Some, indeed, are clamorous for such an amendment, and for the interference of Great Britain; but when asked how the first can be effected, or the latter made available to the exigencies

of the moment, they are unable to furnish any satisfactory reply.

No. 29.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 13.

(Extract.) Paris, February 10, 1823.

After receiving your despatch of the 3rd instant, I called upon M. de Chateaubriand, and held a long conversation with that minister upon the subject to which it refers. Without under-rating the effect of his majesty's good offices to preserve peace, I found M. de Chateaubriand still extremely prepossessed with the notion, that the tone assumed in the speech of the king of France, is well calculated to induce the Spaniards to give way; and resolved, in spite of all I could say, to ground hopes of preventing war upon the result of that speech.

When I questioned his excellency respecting the interpretation of which his most Christian majesty's speech to the chambers is susceptible, he admitted that your account of the different constructions which are put upon that discourse, clearly exposes the doubts which have prevailed in the public mind upon that important question. He said, that whatever may be the interpretation which is attached to his majesty's expressions, by those who are determined to consider all the measures recommended by this Court, to be proofs of their desire to re-establish an absolute government in Spain—his excellency never can believe that the communications which have taken place with the British cabinet, have been misunderstood to a degree which can authorize such suppositions. He does not hesitate to admit that, "in order to give stability to any modification of the

present system in Spain, and to afford sufficient assurance to France to justify her discontinuing her warlike preparations, the king of Spain must be a party, and consent to such modification." Upon this principle, a change which shall result from a thorough understanding between his Catholic majesty and the Cortes, will be considered to afford some prospect of the modifications which are indispensable to the security of neighbouring states. The French government will not only be satisfied with the opening which any act (such as the establishment of a second chamber) may offer, to complete, through the intervention of Great Britain, the system which is necessary for the constitutional government of Spain; but, without waiting for any further proofs of the sincerity of the Spanish government, they will consider any such act as affording reasonable grounds for suspending their armaments, and replacing the relations between the two countries upon the footing usual in time of peace; though, since they cannot suppose that we consider mere fair assurances to be sufficient, we must not be surprised if preparations for war are, in the mean time, carried on without intermission.

M. de Chateaubriand did not enter into any detail respecting the nature of the acts to which he alluded; but I understood him to refer to the project of allowing the king the nomination of councillors of state, and giving them a deliberative power, upon a similar principle with that of the American senate; to which might be added, a regulation fixing the amount of the qualification required, to render a candidate eligible to the second, or representative chamber.

With a view to avoid the possibility of any misrepresentation, I have read to M. de Chateaubriand that part of this despatch, which states the expectations entertained by the French government, and have ascertained that his ideas are correctly reported. The communication of the same extract to*

_____ enables me to say, that it contains notions which, in the opinion of that gentleman, will be considered admissible in Spain; and which may afford sufficient grounds for further communications on the part of sir William A'Court to the Spanish government.

No. 30.—Sir William A'Court to Mr. Secretary Canning.—Received February 13.

Madrid, 27th January, 1823.

Sir;—The French minister received two despatches from M. de Chateaubriand by the last courier; the one to be communicated to M. de San Miguel at the same time that he demanded his passports; the other to be read to him, as well as to the king, previous to his departure.

The first, which has already been communicated, contains little more than expressions of regret, that the answer of the Spanish government should have been so very unsatisfactory, leaving no other alternative to the French government than of recalling its legation.

The second goes more into detail. It states that, after the fruitless efforts made by the representatives of the continental powers, as well as by sir William A'Court and lord Fitzroy Somerset (the last of whom, it must be observed, had not left Paris seven days, and

was not even arrived at Madrid when the French despatch was written) to engage the Spanish government to listen to the suggestions of reason, and to adopt a line of greater moderation, no other course remains to the government of his most Christian majesty than that of recalling its minister from Madrid:—that this is the only step left for the maintenance of peace:—that the duke of Angoulême is upon the point of placing himself at the head of 100,000 men upon the frontier:—and that if the king of Spain, released from his present thralldom, and placed at the head of his army, shall be allowed to advance to the banks of the Bidassoa, in order to treat with him, a firm and durable peace may be established between the two countries—the ancient intimate connexion between France and Spain restored; and the fleets, armies, and resources of France be placed from that moment entirely at the disposal of his Catholic majesty:—That France does not pretend to dictate to Spain the precise modifications she ought to adopt in her constitution; but in order not to expose herself to the charge of having intentionally left her wishes unexplained, she declares that she will not renew her relations of amity with this country, until a system be established, with the consent of, and in concert with, the king, assuring alike the liberties of the nation and the just privileges of the monarch; and until a general act of amnesty be passed in favour of every individual persecuted for political offences from the promulgation of the constitution in 1812, down to the present period.

I write this from recollection; but I am perfectly certain that,

* A Spanish gentleman at Paris.

though I may not have given in every instance the precise words used, I have in no way varied from the meaning. This paper has already been read by general Lagarde to the king; and he will probably communicate its contents to M. San Miguel in the course of the morning. I have the honour to be, &c.

(Signed) WILLIAM A'COURT.

No. 32.—Sir William A'Court to Mr. Secrétary Canning.—Received February 22.

(Extract.) Madrid, February 7, 1823.

Sir Charles Stuart has forwarded to me your despatch to him, inclosing M. de San Miguel's note, and a copy of his despatch to you of the 30th ultimo.

I must await your further instructions, after the receipt of sir Charles Stuart's despatch, announcing the manner in which this overture has been received by France, before I can venture to advance any further. By sir Charles Stuart's account it appears, that France has neither quite accepted, nor quite declined, our interference; and M. de Chateaubriand's statement of the conditions necessary to the establishment of amicable relations between the two countries, is so extremely vague, that I should really be at a loss to inform this government, if called upon to do so, what are the precise concessions which would ensure the maintenance of peace.

I shall, however, not lose sight of the amnesty, but press it by every argument in my power. I have some reason to believe that such a measure will not be opposed by any party. One object is already gained, viz. that of the shutting up of the Landaburian society. If this be followed up by a general

amnesty, I shall not yet despair of arriving at that first of objects, the prevention of a continental war.

I had written thus far when I was interrupted by the arrival of M. San Miguel.

M. San Miguel observed, that with respect to modifications, there was neither a man nor a party in Spain (were the ministry to be changed a hundred times) who would venture to propose their adoption, till the time pointed out by the constitution; and that, had any hopes been held out to me of an opposite nature, I might depend upon it they never would be realized. M. San Miguel's conversation was nevertheless less warlike than I found it a day or two ago. He would not, he said, consider all hope of negotiation at an end, but still rely for a successful issue from the present difficulties, upon the friendship and good offices of England. He was convinced that she might, and that she would prevent a war.

I told him that England had done, and would continue to do every thing in her power to prevent matters from coming to such extremities; but my own opinion was, that war was inevitable, if Spain were really determined to admit of no modification in her present constitutional system. This would not prevent our endeavouring to avert such a misfortune by every means within our reach, short of involving ourselves in the quarrel; but that I could not flatter him with any hope that our efforts would be successful, unless we were enabled to hold out to France, the prospect of some concession on the part of this country.

A long and desultory conversation followed, which it will be unnecessary to repeat; in the course

of which, M. San Miguel put very prominently forward, the evident acknowledgment of the intention to establish a permanent French interest in Spain, contained in certain passages of the king of France's speech to the chambers.

No. 33.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 23.

(Extract.) Paris, February 21, 1823.

M. de Chateaubriand said, that he had turned over the subject in his own mind, with a view to decide upon what terms it might be possible to meet the proposals they might receive—and though he could not state the result of his reflexions to be the expression of the sentiments of the French government,—yet he thought the subject might be taken into consideration, if the Spanish negotiators should engage at a future period, to modify their constitution; and, in the mean while, prove their good faith by restoring the king to his physical liberty, and allowing him to frequent the *sitios*, and to go to watering places; by a general amnesty; by the establishment of laws to regulate the press—and by a change of ministry; but that the military preparations of the French government must continue without intermission; and that their armies will be ready to take the field, if a change in the aspect of affairs does not contribute to remove the pressure and irritation which prevails on both sides, before the season for active operations shall arrive.

No. 34.—Sir William A'Court to Mr. Secretary Canning.—Received March 3.

(Extract.) Madrid, Feb. 16, 1823.

The debate upon the subject of the removal of the seat of govern-

ment, passed off without any thing being elicited from either party, which could give an opening for the discussion of the possibility of an arrangement through the good offices of England. The extraordinary Cortes will close on the 19th instant, and the ordinary Cortes will assemble on the first day of March. The question of an amnesty for all those who shall lay down their arms before the entry of a foreign force, was subsequently brought forward, and referred to a committee. An extension of this limited amnesty, I am assured, will be proposed by the committee, and it will be recommended that it should be made general. If this be done, and the proposal be adopted, it will be a very great point gained. There is, however, but little hope that any of those further concessions will be made, which would ensure an amicable arrangement of the differences that exist between this country and France. Besides which, the putting forward by France of so extravagant a proposition, as that the king, restored to his full and absolute power, shall himself grant a charter to the nation, has singularly increased the difficulties of the question. The principle upon which this proposition is founded, is one to which it is evident the British government can never agree; and consequently if such be the *sine quâ non* of France, our intervention falls to the ground.

No. 35.—Sir William A'Court to Mr. Secretary Canning.—Received March 3rd.

(Extract.) Madrid, Feb. 18, 1823.

My hopes have been grievously disappointed with respect to the amnesty; which, I was confidently assured, would embrace every po-

litical offender. But neither by the committee, nor in the Cortes, has the slightest allusion been made to so general a measure, notwithstanding the hopes that were held out. The amnesty voted, is nothing more than an act of pardon for any "factious," who may lay down their arms before the 1st of April; without any retrospective operation in favour of those already in prison, or any allusion to those confined merely for political opinions. It is a mere act of policy, and by no means an act of grace; nor can it be expected to produce that favourable effect in France, which might have been insured by a more general measure.—A report was circulated a few days since, that the king, with the concurrence of the council of state, had determined upon a change of ministers:—from the variety of quarters from whence this report reached me, I was inclined to believe that it was not without some foundation, and that his majesty's intention was, to have requested the council of state to choose a new ministry for him, selected from their own body. Alarmed by the reports in circulation, the ministers obtained from the Cortes this morning, the repeal of the decree authorising the employment of councillors of state, with the exception of those already employed.—The repeal of this decree, though it may not prevent a change of ministers, effectually puts an end to the administration which it was proposed to form.

No. 38.—Sir Charles Stuart to Mr. Secretary Canning.—Received March 9.

(Extract.) Paris, March, 6th 1823.

I cannot help thinking that there is in the language of the

ministers a more pacific colour, than I had observed within the last three weeks; for both to myself, and to all those with whom they converse, Monsieur de Villèle and Monsieur de Chateaubriand express their hopes of averting a war, with a degree of confidence which induced me to observe to the latter minister, that the insisting upon a direct negotiation between the duke d'Angoulême and a Spanish prince, may be a great obstacle to success. His excellency answered, that although this mode of settling the question had been strongly urged, he could assure me the objects of the negotiation are too important, not to be sought for by the concession, if necessary, of this, or of any other mere point of form; and that if the Spanish government will empower any negotiator to treat, after a change of ministers at Madrid, he shall be able to look forward with confidence to the continuation of peace. I cannot, however, participate in the hopes, which the French cabinet found upon the intelligence they expect to receive from Madrid: I consider late events to be the prelude to war.

No. 39.—Sir William A'Court to Mr. Secretary Canning.—Received March 13.

(Extract.) Madrid, Feb. 23, 1823.

M. San Miguel called on me this morning, for the purpose of exchanging the ratifications of the articles respecting the slave-trade. Having gone through that ceremony, I informed him that I had communications of some importance to make to him, which the troubled state of the capital for several days past, and my own continued indisposition, had prevented

me from submitting to his consideration at an earlier period.

Having thus drawn his attention to what I was about to say, I produced your despatch of the 9th February, and an extract from sir Charles Stuart's despatch to you of the 10th February; and proceeded to read to him those parts of each, which I thought the most calculated to produce a favourable effect, accompanying my reading with such remarks as the nature of the communication required.

M. de San Miguel listened with the greatest attention; but as soon as I had concluded, observed, that the British government was labouring under a delusion, in supposing any sort of modification possible. It would be a much easier thing to overturn the whole constitutional system, and to re-establish absolute despotism, than to concede even the most insignificant of the points which had been pointed out as the most likely to conciliate.

He was fully aware that England asked no modifications on her own account. He knew that we wished to preserve to Spain her constitutional system; that our only object in trying to engage her to yield upon certain points, was the conviction that if a war did break out, we must be, sooner or later, involved in it ourselves. He knew very well that we should not declare in favour of Spain at first; but nobody could be so blind as not to see, that, if the war was protracted, and other powers took part in it, England alone could not remain a passive spectator of what might be its results.

No. 40.—Sir William A'Court to Mr. Secretary Canning.—Received March 16.

(Extract.) Madrid, March 5, 1823.

A Spanish gentleman at Paris has written from Paris to ———, that the French government has declared that it will suspend hostilities if a general amnesty be granted, a verbal promise of modifications hereafter be given, a change of ministers take place, and the king be permitted to go to the waters of Sacedon. That the negotiation must be carried on at Paris through the mediation of the British ambassador; ——— quotes sir Charles Stuart as his authority, and refers his friends to me for further information. Now I have heard nothing from sir Charles Stuart since the 20th ult. when he still referred me to his despatch to you of the 10th of February, as containing the final determination of the French government. That determination is very widely different from the arrangement alluded to by ———.

No. 41.—Sir William A'Court to Mr. Secretary Canning.—Received March 18th at night.

(Extract.) Madrid, March 9, 1823.

I saw M. de San Miguel this morning, and, to my great astonishment, he asked me what were the precise conditions required by France, in case any questions should be asked him in Cortes. I repeated to him the conditions stated in sir Charles Stuart's despatch of the 10th February, and those (hardly to be considered official) contained in the same ambassador's despatch of the 21st February,* and, according to his request, I sent him, upon my re-

* See No. 33, a copy of which was received by sir William A'Court, subsequently to his letter of the 5th March.

turn home, an extract from the despatch of the 10th February. What is in agitation I know not.—He told me he should say nothing upon the subject, unless called upon by the Cortes; and that if any negotiations were entered into, he would not be the person to negotiate. I should only mislead you if I were to attempt to give any explanation of this singular conversation.

No. 43.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, March 31, 1823.

Sir;—The hopes of an accommodation between France and Spain, which his majesty has so long been encouraged to cherish, in despite of all unfavourable appearances, being now unhappily extinguished, I am commanded by his majesty to address to your excellency, for the purpose of being communicated to the French minister, the following explanation of the sentiments of your government upon the present posture of affairs between those two kingdoms.

The king has exhausted his endeavours to preserve the peace of Europe.

The question of an interference in the internal concerns of Spain, on account of the troubles and distractions which have for some time prevailed in that kingdom, was not one on which his majesty could, for himself, entertain a moment's hesitation. If his majesty's plenipotentiary at Verona did not decline taking part in the deliberations of the allied cabinets upon that question, it was because his majesty owed to his allies, upon that, as upon every other subject, a sincere declaration of his opinions; and because he hoped that

a friendly and unreserved communication might tend to the preservation of general peace.

The nature of the apprehensions which had induced the king of France to assemble an army, within his own frontier, upon the borders of Spain, had been indicated, in the first instance, by the designation of the "Cordon Sanitaire." The change of that designation to that of an "Army of Observation" (which took place in the month of September last) did not appear to his majesty to imply more, than that of the defensive system originally opposed to the contagion of physical disease would be continued against the possible inconveniences, moral or political, which might arise to France, from a civil contest raging in a country separated from the French territory only by a conventional line of demarcation. The dangers naturally incident to an unrestrained intercourse between two countries so situated towards each other; the dangers of political intrigue, or of occasional violation of territory, might sufficiently justify preparations of military defence.

Such was the state of things between France and Spain at the opening of the congress at Verona. The propositions brought forward by the French plenipotentiary in the conferences of the allied cabinets, were founded on this state of things. Those propositions did not relate to any project of carrying an attack into the heart of the Spanish monarchy, but were in the nature of inquiries: 1st, What countenance France might expect to receive from the allies, if she should find herself under the necessity of breaking off diplomatic intercourse with the court of Madrid? and, 2ndly, What as-

sistance, in supposed cases of outrage to be committed, or of violence to be menaced, by Spain? These cases were all contingent and precautionary. The answers of the three continental powers were of a correspondent character.

The result of the discussions at Verona, was a determination of his majesty's allies, the emperors of Austria and Russia and the king of Prussia:—1st. To make known to the cabinet of Madrid, through their respective ministers at that court, their sentiments upon the necessity of a change in the present system of the Spanish government; and, in the event of an unsatisfactory answer to that communication, to recall their respective ministers; and to break off all diplomatic intercourse with Spain:—2ndly, To make common cause with France against Spain, in certain specified cases; cases, as has been already observed, altogether contingent and precautionary.

His majesty's plenipotentiary declined concurring in these measures; not only because he was unauthorized to pledge the faith of his government to any hypothetical engagement, but because, his government had, from the month of April, 1820, uniformly recommended to the powers of the alliance, to abstain from all interference in the internal affairs of Spain; and because, having been from the same period, entirely unacquainted with whatever transactions might have taken place between France and Spain, his government could not judge, on what grounds the cabinet of the Tuilleries meditated a possible discontinuance of diplomatic relations with the court of Madrid; or on what grounds they apprehended

an occurrence, apparently so improbable, as "a commencement of hostilities against France by Spain."

No proof was produced to his majesty's plenipotentiary of the existence of any design on the part of the Spanish government, to invade the territory of France; of any attempt to introduce disaffection among her soldiery; or of any project to undermine her political institutions: and so long as the struggles and disturbances of Spain should be confined within the circle of her own territory, they could not be admitted by the British government to afford any plea for foreign interference. If the end of the last and the beginning of the present century saw all Europe combined against France, it was not on account of the internal changes which France thought necessary for her own political and civil reformation; but because she attempted to propagate, first her principles, and afterwards her dominion, by the sword.

Impossible as it was for his majesty to be party to the measures concerted at Verona with respect to Spain, his majesty's plenipotentiary declared, that the British government could only endeavour through his majesty's minister at the court of the Catholic king, "to allay the ferment which those measures might occasion at Madrid, and to do all the good in his power."

Up to this period no communication had taken place between his majesty and the court of Madrid, as to the discussions at Verona. But about the time of the arrival of his majesty's plenipotentiary, on his return from Verona, at Paris, Spain expressed a desire for the "friendly interposition" of his majesty, to

avert the calamities of war. Spain distinctly limited this desire to the employment of such "good offices," on the part of Great Britain, as would not be inconsistent with "the most strictly-conceived system of neutrality." Nor has any period occurred, throughout the whole of the intercourse of the British government with Spain, at which the Spanish government has been for one moment led, by that of Great Britain, to believe that the policy of his majesty, in a contest between France and Spain, would be other than neutral.

In pursuance of this request, and of his previous declaration at Verona, his majesty's plenipotentiary received instructions at Paris, to make to the French government the offer of his majesty's mediation. In making this offer, the British government deprecated, from motives of expediency as well as from considerations of justice the employment towards Spain of a language of reproach or of intimidation. They represented as matter of no light moment, the first breach, by whatever power, of that general pacific settlement which had been so recently established, and at the cost of so many sufferings and sacrifices to all nations. Nor did they disguise from the French government, the anxiety with which they looked forward to all the possible issues of a new war in Europe, if once begun.

In addition to suggestions such as these, the British government endeavoured to learn from the cabinet of the Tuilleries, the nature and amount of the specific grievances, of which his most Christian majesty complained against Spain; and of such specific measures of

redress or conciliation on the part of Spain, as would arrest the progress of his most Christian majesty's warlike preparations.

The French government declined the formal mediation of his majesty; alleging, in substance, that the necessity of its warlike preparations was founded, not so much upon any direct cause of complaint against Spain, which might be susceptible of accurate specification and of practical adjustment, as upon the general position in which the two kingdoms found themselves placed towards each other; upon the effect which all that was passing and had been for some time passing in Spain, produced upon the peace and tranquillity of his most Christian majesty's dominions; upon the burthensomeness of that defensive armament which France had thought herself obliged to establish on her frontier towards Spain, and which it was alike inconvenient to her to maintain, or, without some change of circumstances which would justify such change of counsel, to withdraw; upon a state of things, in short, which it was easier to understand than to define; but which, taken altogether, was so intolerable to France, that open hostility would be far preferable to it. War would, at least, have a tendency to some conclusion; whereas the existing state of the relations between France and Spain might continue for an indefinite time; increasing every day the difficulties of Spain, and propagating disquietude and alarm throughout the French army and nation.

But although his most Christian majesty's government declined, on these grounds, a formal mediation, they professed an earnest desire for peace, and accepted his majesty's

"good offices" with Spain for that object.

Contemplating all the mischiefs which war might inflict upon France, and through France ultimately perhaps upon all Europe; and which it must inflict, more immediately and inevitably, upon Spain, whose internal animosities and agitations a foreign war could not but exasperate and prolong—the British government was deeply impressed with the necessity of peace for both kingdoms; and resolved, therefore, whether invested or not with the formal character of mediator, to make every effort, and to avail itself of every chance, for the prevention of hostilities. The question was now become a question simply and entirely between Spain and France; and the practical point of inquiry was not so much how the relations of those two governments had been brought into their present awkward complication; as how that complication could be solved, without recourse to arms, and an amicable adjustment produced, through mutual explanation and concession.

Nothing could have induced his majesty to suggest to the Spanish nation a revision of its political institutions, as the price of his majesty's friendship. But Spaniards, of all parties and descriptions, admitted some modifications of the constitution of 1812, to be indispensably necessary: and if in such a crisis as that in which Spain now found herself—distracted at once by the miseries of civil war, and by the apprehension of foreign invasion—the adoption of modifications, so admitted to be desirable in themselves, might afford a prospect of composing her internal dissensions, and might at the same time furnish to the French government a motive

for withdrawing from the menacing position which it had assumed towards Spain; the British government felt that no scruple of delicacy, or fear of misconstruction, ought to restrain them from avowing an earnest wish, that the Spaniards could prevail upon themselves to consider of such modifications, or, at least, to declare their disposition to consider of them hereafter.

It is useless now to discuss what might have been the result of his majesty's anxious endeavours to bring about an accommodation between France and Spain, if nothing had occurred to interrupt their progress. Whatever might be the indisposition of the Spanish government to take the first step towards such an accommodation, it cannot be disguised that the principles avowed, and the pretensions put forward by the French government, in the speech from the throne at the opening of the chambers at Paris, created new obstacles to the success of friendly intervention. The communication of that speech to the British government was accompanied, indeed, with renewed assurances of the pacific disposition of France; and the French ministers adopted a construction of the passage most likely to create an unfavourable impression in Spain, which stripped it of a part of its objectionable character. But all the attempts of the British government to give effect at Madrid to such assurances and explanations, proved unavailing. The hopes of success became gradually fainter: and have now vanished altogether.

It remains only to describe the conduct which it is his majesty's desire and intention to observe, in a conflict between two nations, to

each of whom his majesty is bound by the ties of amity and alliance.

The repeated disavowal, by his most Christian majesty's government, of all views of ambition and aggrandizement, forbids the suspicion of any design on the part of France, to establish a permanent military occupation of Spain; or to force his Catholic majesty into any measures derogatory to the independence of his crown, or to his existing relations with other powers.

The repeated assurances which his majesty has received, of the determination of France to respect the dominions of his most faithful majesty, relieve his majesty from any apprehension of being called upon to fulfil the obligations of that intimate defensive connexion, which has so long subsisted between the crowns of Great Britain and Portugal.

With respect to the provinces in America, which have thrown off their allegiance to the crown of Spain, time and the course of events appear to have substantially decided their separation from the mother country, although the formal recognition of those provinces, as independent states, by his majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each state, towards a regular and settled form of government. Spain has long been apprised of his majesty's opinions upon this subject. Disclaiming in the most solemn manner any intention of appropriating to himself the smallest portion of the late Spanish possessions in America. His majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those

possessions, either by conquest or by cession, from Spain.

This frank explanation upon the points on which perhaps alone the possibility of any collision of France with Great Britain can be apprehended in a war between France and Spain, your excellency will represent to M. de Chateaubriand, as dictated by an earnest desire to be enabled to preserve, in that war, a strict and undeviating neutrality; a neutrality not liable to alteration towards either party, so long as the honour and just interests of Great Britain are equally respected by both.

I am commanded, in conclusion, to direct your excellency to declare to the French minister, that his majesty will be at all times ready to renew the interposition of his good offices, for the purpose of terminating those hostilities, which his majesty has so anxiously, although ineffectually, endeavoured to avert. I am, &c.

(Signed) GEORGE CANNING.

(Translation.) Memorandum relative to the conduct of Spain; communicated by M. de Jabat to Mr. Secretary Canning, on the 18th February, 1823.

If proofs of the moderation of Spain, and of the little foundation with which she is accused of following the system of propagating her political principles, be required—here are three undeniable facts: The junta of Oporto applies in 1820 for Spanish troops; refused:—The government of Naples, in the beginning of 1821, makes the same request; refused:—In 1822, on the application of France, the French refugees, captain Nantil, &c. were made to retire 30 leagues into the country,

whilst the generals Eguia, Abreu, &c. and the self-named regency were organizing bands of the faith at Bayonne and Perpignan.

In 1822 we declined the services of three French regiments of the Army of Observation. Up to this day, no French soldier or peasant can be cited whom we have seduced, armed, paid, and thrust into the bosom of his country to devastate it. We have not raised the tricolour flag; we have not refused to publish a generous and salutary amnesty; we have not invited to evening assemblies of etiquette French outlaws and conspirators; we have not tolerated that an individual at Madrid should invest himself publicly with the title of *chargé d'affaires* of the regency of France, whilst his excellency, M. de Lagarde was ambassador of his most Christian majesty, at the court of his Catholic majesty. In fine, we have done nothing (for these negative proofs might form too diffuse a catalogue)—we have done nothing against the French of those things which the French (that is to say the French government) have done against us; and we have done for the governments which excommunicate us, what none of them have done for us.

If there be any question of verbal or written disavowals, England has received the most solemn disavowals on the subject of Portugal; Austria on the subject of Italy; and Europe, especially in the memorable sitting of the 11th January 1823, has heard the representatives of Spain declare, in appealing for the truth of it to the history of what passed from 1808 to 1814, and from 1820 to 1823, both, 1st. That their country will never interfere with the internal affairs of other powers;

VOL. LXV.

and 2ndly. That neither will she consent to the scandalous dictation which it is wished to impose upon her.

FRANCE.

Mr. Secretary Canning to Sir Charles Stuart.

(Extract.)

Foreign-office, Mar. 31, 1823.

The article, of which I enclose a copy, is contained in the treaty between his majesty and the king of Spain of 1814, but has never been published. It was originally a secret article, but his majesty having declined agreeing to it as such (from the opinion that it ought to be communicated to his majesty's allies), its title was changed from that of a secret to a separate article. It formed part of the treaty communicated to the court of France in 1814, by the duke of Wellington, then his majesty's ambassador at Paris; but it was omitted in the copy of the treaty laid before parliament, at the express desire of the French government, signified by the prince de Talleyrand, then minister for foreign affairs.

M. de Chateaubriand will, I have no doubt, at once acknowledge that such an act of compliance with the wishes of the French government, enhances his majesty's claim upon France, to respect the solemn obligation of this article.

Your excellency will particularly remark to M. de Chateaubriand, that the treaty of 1814, was not negotiated till after our army had been withdrawn from Spain.

(Inclosure in No. 1.) Separate article.

His Catholic majesty engages, not to enter into any treaty or engagement with France of the

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nature of that known under the denomination of the family compact, nor any other which may affect the independence of Spain, which may be injurious to the interests of his Britannic majesty, or may be contrary to the strict alliance which is stipulated by the present treaty.

The present separate article shall form an integral part of the treaty of friendship and alliance signed on the fifth day of July, and shall have the same force and validity as if it was inserted, word for word, and shall be ratified, and the ratifications shall be exchanged within forty days, or sooner if possible.

In witness whereof, we, the undersigned plenipotentiaries, have signed, in virtue of our respective full powers, the present separate article, and sealed it with the seals of our arms. Done at Madrid, this 5th day of July, 1814.

(L. S.) M. EL DUQUE DE SAN CARLOS.

(L. S.) H. WELLESLEY.

Sir Charles Stuart to Mr. Secretary Canning.—Received April 10.

(Extract.) Paris, April 7, 1823.

M. de Chateaubriand assured me, that the French government are quite resolved to respect the obligations of the article which I communicate to him.

PORTUGAL.

Mr. Secretary Canning to Sir Charles Stuart.

(Extract.) Foreign-office, Dec. 3, 1822.

Your excellency will take an opportunity of obtaining from M. de Villèle some information respecting the nature of the recent communications between the French and the Portuguese governments.

Sir Charles Stuart to Mr. Secretary Canning.—Received Dec. 15.

(Extract.) Paris, Dec. 12, 1822.

In answer to the inquiries I have been authorized to bring forward, respecting the nature of the communications which have taken place between this government and the court of Portugal, the duke Mathieu de Montmorency has shown me the correspondence of the French ministers with M. de Lesseps.

It appears from this correspondence, that M. Oliveira, the Portuguese chargé-d'affaires at this court, called upon M. de Villèle in the course of the summer, for the purpose of representing the anxiety to which the assembling of a French force on the Pyrenees had given rise at Lisbon, and of expressing a hope that his excellency would give him a full explanation of the views entertained by the French government, with respect to Portugal. M. de Villèle assured him, that nothing could warrant any feeling of uneasiness on the part of the Portuguese government; that the distance of that country had not permitted him to contemplate the possible effect, which the concentration of troops in France could produce upon a nation, with whose institutions or government the French ministers could have no desire to interfere.

(Translation) The Vicomte de Chateaubriand to the Portuguese Chargé d'Affaires at Paris. Communicated by the Vicomte de Marcellus to Mr. Secretary Canning, March 7, 1823.

(Extract.)

The Portuguese government thinks fit to protest against the

principle promulgated in the speech delivered by his majesty on the 28th of January, at the opening of the present session. The king of France has a right to hold to his people the language which he thinks proper; and it would be difficult to understand how the Portuguese government can take umbrage at a speech addressed to the deputies of France.

If the French army should be obliged to enter Spain, the Portuguese chargé-d'affaires will be at perfect liberty to quit the French territory, in conformity to the orders he has received from his court.

If the French government is forced to declare war against the Spanish government, it is not to support political theories, but because her immediate safety and her essential interests are compromised by the internal transactions of Spain. France, not being in the same situation with regard to Portugal, sees no plausible motive to induce the government of his most faithful majesty, to renounce the relations of peace and friendship. France hopes that she shall not have to repel an unprovoked aggression; nor to maintain a defensive war, which would have no other foundation or pretext on the part of those who should declare it, than the promulgation of a principle on which the political law of France is founded.

As to future arrangements respecting the residence of consuls, the French government sees no occasion to enter into any arrangement upon that subject, because it has never been the intention of his most Christian majesty to recall, either his chargé-d'affaires or his consuls, from Portugal. He will in future adopt such measures as

may be consistent with his dignity. The undersigned, &c.

(Signed) CHATEAUBRIAND.

(Translation.) M. de Chateaubriand to the French Chargé-d'affaires at Lisbon. Communicated by Viscomte Marcellus to Mr. Secretary Canning, February 3, 1823.

(Extract.) Paris, January 30, 1823.

The letter which I had the honour of writing to you on the 13th of the present month, confirms all those which my predecessor had addressed to you, respecting the friendly dispositions of France towards Portugal.

You have constantly been instructed to assure that government, that our armaments were not directed against Portugal;—that the maintaining a body of troops in the vicinity of the Pyrennees had no other object than to place us in a state of defence, should our territory or our institutions be menaced by Spain; and should the conduct of that power render a rupture unavoidable:—but that we separated the cause of Spain from that of Portugal, against which power we had no complaint; and that we wished not to see our relations with her interrupted.

Sir Charles Stuart to Mr. Secretary Canning.—Received April 20.

Paris, April 17, 1823.

Sir;—The Portuguese chargé-d'affaires at this court has addressed a note to the Vicomte de Chateaubriand, stating, that, in virtue of the instructions he has received from his government, he considers the relations of amity between the two countries to have been interrupted, from the moment the French army crossed the frontier

of Spain; and that he must, therefore, demand his passports.

This communication has been answered by a note from M. de Chateaubriand, referring to his former declarations, that it is the desire and intention of his Most Christian Majesty's government to continue at peace with Portugal; that if, however, the manifestation of these friendly sentiments will not induce Monsieur de Sampaio to suspend the execution of his

orders, until the result of a reference to Lisbon shall be known, his passports will be delivered to him; but that the French ministers do not think it necessary, on that account to withdraw the *chargé d'affaires*, or the consular agents, who are actually employed in Portugal to maintain the usual relations between the two courts. I have the honour to be, &c.

(Signed) CHARLES STUART

CONVENTION between HIS MAJESTY and the KING of the SPAIN, for the amicable adjustment of COMPLAINTS respecting the CAPTURE and DETENTION of BRITISH VESSELS and PROPERTY by Spanish Authorities,

(Signed at Madrid, March 12, 1823.)

His majesty the king of the United Kingdom of Great Britain and Ireland, and his majesty the king of the Spains, equally animated by the desire of arriving at an amicable adjustment of the various complaints which have been from time to time laid before the Spanish government, of the capture of vessels, and seizure and detention of property belonging to British subjects, by Spanish authorities, as well as of other grievances; their said majesties have been pleased to name plenipotentiaries for the conclusion of a convention for the attainment of this desirable purpose, to wit:—His Britannic Majesty, the right honourable sir William A'Court, baronet, knight grand cross of the order of the Bath, one of his majesty's most honourable privy council, and his envoy extraordinary and minister plenipotentiary to the king of the Spains; and his Catholic Majesty, his excellency Don Evaristo de San Miguel, colonel of infantry, adjutant-general on the

staff of the national armies, and secretary of state for the foreign department; who, after having communicated their full powers, have agreed upon the following articles:—

Article 1. A mixed commission, English and Spanish, consisting of two members of each nation, shall be appointed, and meet in London, within ten weeks after the signature of the present convention, or sooner if possible, for the purpose of taking into consideration and deciding in a summary manner, according to equity, upon all cases that shall be brought before it, properly authenticated, of the capture or seizure of British vessels, or detention of property belonging to subjects of his Britannic Majesty, from the declaration of peace between England and Spain, of the 4th of July, 1808, to the date of the present convention, and also upon all cases that shall be brought before it, of the capture or seizure of Spanish vessels, or detention of property belonging to the subjects

of his Catholic Majesty, during the same period.

2. Should any difference of opinion arise amongst the members of the said convention, and their votes be equally divided, a reference shall then be made to the Spanish envoy at the court of London, and a law officer of the crown to be named by his Britannic Majesty. If these arbitrators should also be divided in opinion, it shall be determined, by lot, which of the two shall definitively decide the question.

3. An assignment of 40 millions of rials upon the great book, shall, according to the decree of the Cortes, immediately be made to the said commissioners, for the payment of such indemnifications as may be awarded by the commission. This sum shall be increased or diminished, as the decree points out, according as a greater or lesser number of claims shall be admitted as valid, exceeding, in the one case, or not amounting to, in the other, the whole amount of the sum in the first instance deposited.

4. The claims of Spanish subjects which shall be acknowledged just, shall be paid by the British government either in stock, or by an equivalent in money.

5. As soon as the commissioners

shall have admitted any claim as valid, and determined the amount due to the claimant, they shall assign or transfer, in favour of such claimant, a portion of the said rentes equivalent to the amount awarded, estimating the value thereof according to the current price in London of the said rentes at the time of making such assignment or transfer.

6. No claim shall be admitted which shall not be submitted to the commission within six months after its first meeting.

7. A person shall be named by each government, for the selection and transmission of whatever papers or documents it may be necessary to forward from Madrid for the consideration of the commission, and to arrange the transfer of the rentes, as the respective amounts shall be awarded.

In witness whereof, we, the undersigned plenipotentiaries of their Britannic and Catholic Majesties, duly authorised by our full powers, have signed two originals of the present convention, and have affixed thereunto the seals of our arms, in Madrid, this twelfth day of March, 1823.

(L. S.) WILLIAM A'COURT.

(L. S.) EVARISTO SAN MIGUEL.

SPEECH of the KING of FRANCE, delivered at the Opening of the Session of the Two Chambers, on Tuesday, Jan. 28.

Gentlemen,—The length of the two last sessions, and the short time which they have left you unoccupied, would have made me wish to be able to put off for a short time the opening of the present. But the regular vote of the expenditure of the state is an advantage of which you have felt all the value;

and in order to preserve it, I have counted upon the same devotion which were necessary for me to obtain it.

The situation of the interior of the kingdom is improved; the administration of justice, loyally exercised by the jurists, wisely and religiously directed by the magis-

states, has put an end to the plots and attempts at revolt which were encouraged by the hope of impunity.

I have concluded with the Holy See those conventions which were necessary for the formation of the new dioceses of which the law authorizes the establishment.

Every where the churches will be provided with their pastors; and the clergy of France, completely organized, will bring upon us the blessings of Providence.

I have provided by ordinances, as economy in our expenses required, regular order in the accounts. My ministers will submit to the sanction of the law the account of the expenses of the year 1821. They will furnish you with the statement of the receipt and expenses effected in 1822, and that of the charges and resources to be expected in 1824.

It results from these documents, that all prior expenses being liquidated—even those which the military preparations have rendered necessary—we enter upon the year 1823, with forty millions of excess upon the accounts open for this year; and that the budget for 1824 will present a balance of receipts and expenses, without requiring the employment of this reserve.

* France owed to Europe the

* The passage relating to Spain in the original French is as follows:

"La France devait à l'Europe l'exemple d'une prospérité que les peuples ne peuvent obtenir que du retour à la religion, à la légitimité, à l'ordre, à la vraie liberté: ce salutaire exemple elle le donne aujourd'hui.

"Mais la justice divine permet, qu'après avoir long-temps fait éprouver aux autres nations les terribles effets de nos discordes, nous soyons nous-mêmes exposés aux dangers qu'amènent des ca-

example of a prosperity which people cannot obtain but by the return to religion—to legitimacy—to order—to true liberty. That salutary example she now gives.

But divine justice permits, that, after having for a long time made other nations suffer the terrible effects of our disorders, we should ourselves be exposed to dangers brought about by similar calamities among a neighbouring people.

limités semblables chez un peuple voisin.

"J'ai tout tenté pour garantir la sécurité de mes peuples, et préserver l'Espagne elle-même des derniers malheurs. L'aveuglement, avec lequel ont été repoussées les représentations faites à Madrid, laisse peu d'espoir de conserver la paix.

"J'ai ordonné le rappel de mon ministre: cent mille Français, commandés par un Prince de ma famille, par celui que mon cœur se plaît à nommer mon fils, sont prêts à marcher, en invoquant le Dieu de St. Louis, pour conserver le trône d'Espagne à un petit-fils d'Henri IV., préserver ce beau royaume de sa ruine, et le réconcilier avec l'Europe.

"Nos stations vont être renforcées dans les lieux où notre commerce maritime a besoin de cette protection. Des croisières seront établies partout où nos arrivages pourraient être inquiétés.

"Si la guerre est inévitable, je mettrai tous mes soins à en resserrer le cercle, à en borner la durée. Elle ne sera entreprise, que pour conquérir la paix, que l'état de l'Espagne rendrait impossible. Que Ferdinand VII. soit libre de donner à ses peuples les institutions qu'ils ne peuvent tenir que de lui, et qui, en assurant leur repos, dissiperaient les justes inquiétudes de la France: dès ce moment les hostilités cesseront; j'en prends devant vous, Messieurs, le solennel engagement.

"J'ai du mettre sous vos yeux l'état de nos affaires au dehors. C'était à moi de délibérer; je l'ai fait avec maturité. J'ai consulté la dignité de ma couronne, l'honneur et la sûreté de la France: nous sommes Français, Messieurs; nous serons toujours d'accord pour défendre de tels intérêts."

I have made every endeavour to guarantee the security of my people, and to preserve Spain herself from the extremity of misfortune. The infatuation with which the representations made at Madrid have been rejected, leaves little hope of preserving peace.

I have ordered the recall of my minister: one hundred thousand Frenchmen, commanded by a prince of my family,—by him whom my heart delights to call my son,—are ready to march, invoking the God of St. Louis, for the sake of preserving the throne of Spain to a descendant of Henry IV.—of saving that fine kingdom from its ruin, and of reconciling it with Europe.

Our stations are about to be reinforced in those places where our maritime commerce has need of that protection. Cruisers shall be established every where, wher-

ever our arrivals can possibly be annoyed.

If war is inevitable, I will use all my endeavours to confine its circle, to limit its duration: it will be undertaken only to conquer peace, which the state of Spain would render impossible. Let Ferdinand VII. be free to give to his people institutions which they cannot hold but from him, and which by securing their tranquillity would dissipate the just inquietudes of France. Hostilities shall cease from that moment. I make, gentlemen, before you, a solemn engagement on this point.

I was bound to lay before you the state of our foreign affairs. It was for me to deliberate. I have done it maturely. I have consulted the dignity of my crown, the honour and security of France. Gentlemen, we are Frenchmen; we shall always be agreed to defend such interests.

SPEECH of the KING OF SWEDEN on the closing of the Diet, Dec. 22.

Though fundamental compact specifies only four months for your being assembled, I have thought it my duty to yield to your wishes, and to permit the continuance of your sittings for seven months more. Viewed politically, much surprise might, perhaps, be at first sight expressed at the length of this session; but experience of facts, and the habit of considering great affairs, are frequently wanting amidst the various interests which belong to the social state of man. Conjectures also exercise a particular influence beyond every calculation and combination, and events which are sometimes the result of accident or of certain unforeseen causes, deceive the efforts

of the most consummate prudence. If you have not on this occasion satisfied all hopes, you have prepared for the ensuing Diet the means of establishing a financial amelioration, claimed by all classes.

Liberty, in furnishing to man the knowledge of the dignity of his being, has conferred on him the strength and the resignation which are necessary for supporting with patience the vicissitudes of life. But liberty soon disappears when Government is not invested with an authority of sufficient magnitude to preserve for the people that which the people have acquired.

You have beheld the events by which the most flourishing countries of Europe have been afflicted.

When states are convulsed, the people are in the end the greatest sufferers. This conviction ought to induce us never to lose sight of the public welfare and tranquillity. The first benefit which the people have a right to require of us is internal repose, to obtain which the public voice calls upon us to execute without distinction, the laws which form the safeguard of the nation.

We experience the happy influence of an almost insular position. If, however, the laws which govern us have not acquired all the perfection which could be desired, the changes to be made must be the work of time. To endeavour to accomplish those changes hastily, would be to put to hazard all present advantages, and the finest hopes for the future. To precipitate the natural progress which belongs to the genius of our institutions, would be to expose them to those catastrophes of which the present age has furnished striking examples.

I have followed the same circumstance system in the application of our reciprocal duties, and I have considered myself bound to refuse all partial interpretation of our fundamental laws. Wishing only to retain my legal powers without any encroachment on yours, I shall be always ready to enter into concert with you on every thing capable of giving greater clearness to our compact, and thus leading us successively to augment the public prosperity in a perfectly united and solid manner.

Our exportation has been very active, and the balance of commerce for this and the preceding years was to our advantage. The harvests have been abundant, and yet the agriculturist is embarrassed.

He will continue so to be until a new system of landed securities shall place him in a more fixed situation than that in which he now stands. If the hope which I entertain of seeing his situation improved be not realised, I shall again assemble around me the States General, in order to propose to them measures, the efficacy of which cannot be doubtful except with respect to persons whose relief is not within the compass of our influence.

The committee appointed to draw up the civil code have terminated their labours. That code is submitted to me and my councillors examination. It will be presented to you next session, with the ameliorations or modifications which I may consider proper to be introduced into the plan. The code of crimes and punishments is also the subject of my solicitude. Its plan will be characterised by a regard to individual security and public safety.

The sums which you have placed at my disposal for the completion of the great works of the canal of Gotha, and for other enterprises of general interest, appear to be sufficient, and I hope to be able to fulfil your expectation and mine.

The improvement of the administration shows itself in so evident a manner, that it is impossible for the observer, of even the least penetration, not to recognise its progress. Happy the nations which are thus enabled, in the bosom of public peace, to advance their well-being and simplify their institutions.

The system of neutrality which my government has traced out for itself, with respect to all affairs which do not immediately and essentially affect the existence of the

two kingdoms, assures us that our neutrality will continue to be respected. Nothing shall be neglected on our part to prolong its duration. The relations of amity which exist with all the powers of Europe are the augury of that durable peace which forms the object of our wishes.

I thank you, gentlemen, for the numerous proofs of affection and devotion which you have given to me, and to all the members of my family. I regret that the breaking up of the Diet, joined to the bad season, should have presented an obstacle to the execution of the

wish you manifested for the coronation of the Queen, my spouse. That wish shall be satisfied on the next meeting of the States-General.

On your return to your homes and to the bosoms of your families endeavour to strengthen public peace and union. Be friends, be Swedes. Let that proud name remind you that constancy is the greatest of all powers; but that weakness and discord, by destroying states, undermine the freedom of mankind.

I repeat to you, gentlemen, the assurance of my good wishes and royal sentiments.

STATE of the RUSSIAN FINANCES.

The superintending council of the Credit Establishment having met on the 27th of June, lieutenant-general Cancrén, minister of Finance, opened the business with a speech on the state of the several objects to which the attention of the council was to be called. His discourse was divided into the following heads:—

SINKING FUND COMMISSION.—Under this head the minister stated the amount of the debt on the 1st of June, 1822; the inscriptions redeemed in the course of that

Dutch loan	48,100,000 florins.
Debt from terminable annuities {	3,364,000 roubles in silver.
Debt bearing 6 per cent. perpetual interest {	34,505,753 in assignats.
	20,620 roubles in gold.
	9,015,412 in silver.
	240,945,711 in assignats.
Debt bearing 5 per cent. perpetual interest {	61,362,360 roubles in silver.

The sum destined, according to the regulation of the sinking fund commission, to the diminution of the mass of assignats in circulation,

year, and certain claims on the government which had been admitted. Of the loan concluded with Messrs. Rothschild in London, in the year 1822, he could not give an account until it was completely terminated. Its amount was stated to be 43,000,000 of silver roubles, but of which only 23,000,160 silver roubles had yet been inscribed in the great book of the public debt. The result of his details appeared to be that the public debt on the 1st of January, 1823, stood as follows:—

consists for the year 1822, of 32,402,715 roubles.

ASSIGNAT BANK.—According to a statement under this head, the

law prohibiting new emissions of assignats has been strictly observed and the quantity now in circulation amounts to 595,721,010 roubles.

LOAN BANK.—The sums advanced by this bank in the year 1822, chiefly for assistance to manufacturing establishments, amount to 10,495,731 roubles 50 copecs in assignats. According to the account presented by the bank, its profits amount to 8,557 roubles 33½ copecs in gold; 81,681 roubles 18½ copecs in silver; 1,444,284 roubles 82 copecs in assignats.

COMMERCIAL BANK.—The capital of this establishment, fixed at 30 millions, was completed in 1822. Its transactions during the same year extended to 185,230,858 roubles 72 copecs. The loans on

merchandise exceeded those of 1821 by 4,366,552 roubles 31 copecs. There remain due on protested bills of exchange, the payment of which the Bank is prosecuting before the ordinary tribunals, 2,351,313 roubles 50 copecs.

The profits of the bank and its factories, deducting their expense, amount to 1,810,615 roubles 55 copecs.

The bank had in all its transactions strictly followed the prescribed rules, and the examination of the accounts showed that the total of the returns of that establishment and its factories, in the year, 1822, is 890,079,035 roubles 10 copecs in assignats, und 6,900,616 roubles 31 copecs in metallics.

REPLY of the SPANISH GOVERNMENT to the NOTE of the FRENCH MINISTER.

Under this date I communicate the following by Royal order to the Minister plenipotentiary of his majesty in Paris:—"The government of his Catholic Majesty has just received a note transmitted by that of his Most Christian Majesty to its minister plenipotentiary in this court, an official copy of which document is directed to your excellency for your necessary information.

"The government of his Catholic Majesty has few observations to make on the said note. But in order that your excellency may not feel any embarrassment with regard to the conduct which you ought to observe under these circumstances, it becomes it to manifest frankly its sentiments and resolutions.

"The government was never without the conviction that the institutions adopted freely and

spontaneously by Spain would give rise to jealousies in many of the Cabinets of Europe, and would become the object of the deliberations of the congress of Verona. But, secure in its principles, and firm in the resolution to defend at every expense its present political system, and the national independence, it quietly awaited the result of those conferences.

"Spain is governed by a constitution promulgated, accepted, and sworn in the year 1812, and acknowledged by the powers which were assembled in the congress of Verona. Perfidious counsellors would have persuaded his Catholic Majesty, D. Fernando VII., not to have sworn on his return to that fundamental code which the whole nation desired, and which was destroyed by force, without any remonstrance on the part of the

powers which had recognised it. But six years' experience, and the general wish, induced him to identify himself, in 1820, with the desires of the Spanish people.

"It was not a military insurrection which gave rise to this new order of things in the commencement of the year 1820. The brave men who declared themselves in the island of Leon, and successively in the rest of the provinces, were only the organ of the general opinion and wish.

"It was natural that this order of things should produce discontents: that is an inevitable consequence of every reform which aims at a correction of abuses. Individuals are always to be found in every nation and in every state, who can never submit themselves to the empire of reason and justice.

"The army of observation which the French government maintains in the Pyrenees is not calculated to quiet the disorders with which Spain is afflicted. Experience has proved, on the contrary, that this sanatory cordon, which afterwards assumed the title of army of observation, has only served to nourish the wild hopes of the deluded fanatics who raised the cry of rebellion in several of the provinces, by giving them a pretext for cherishing the idea of an approaching invasion of our territory.

"As the principles, the views, or the fears which have influenced the conduct of the cabinets assembled at the Congress of Verona, cannot serve as a rule for that of Spain, the latter abstains, for the present, from replying to that part of the instructions of the Comte de Lagarde which relates to the said Congress.

"The days of calm and tranquillity which the Government of his

Most Christian Majesty wishes to the Spanish nation, are not less anxiously desired by herself and her government. Both being persuaded that the remedy of their misfortunes can only be the work of time and perseverance, they make, as it is their duty to do, every effort to accelerate such useful and salutary effects.

"The Spanish government justly appreciates the offers made by that of his Most Christian Majesty to contribute towards its happiness as far as lies in its power; but is persuaded that the measures and precautions which the latter has adopted can produce only contrary results.

"The assistance which it is now incumbent on the French government to give to that of Spain is purely negative. The disbanding its army of the Pyrenees—the restraining the factious enemies of Spain, and the refugees in France—and a marked and decided animadversion on those who take pleasure in blackening, in the most atrocious manner, the government of his catholic majesty, as well as the institutions of Spain and her Cortes, is what the law of nations, as respected by all civilized countries, requires.

"For France to say that she wishes the welfare and tranquillity of Spain, while she constantly keeps lighted up the brands of discord, which give aliment to the principal evils with which she is afflicted, is to plunge into an abyss of contradictions.

"Moreover, whatever may be the determination which the government of his Most Christian Majesty may deem advisable to take in this conjuncture, that of his Catholic Majesty will continue tranquil in the path pointed out by its

duty, the justness of its cause, the character of constancy, and of firm attachment to constitutional principles, which eminently distinguish the nation at the head of which it is placed; and without now entering into an analysis of the hypothetical and ambiguous expressions of the instructions transmitted to the Count de Lagarde, it concludes by observing that the repose and prosperity of the nation, as well as every thing that may augment the elements of its prosperity, can interest no power more warmly than Spain herself.

"Constant attachment to the constitution of 1812, peace with all nations, and the denial of the right of intervention in her affairs on the part of any power, form the national motto and rule of conduct as

well for the present as for all future times.

"Your excellency is authorised to read this note to the minister of Foreign affairs, and to give him a copy if he request it. Your judgment and your prudence will suggest to you the conduct, firm and worthy of Spain, which ought to be pursued on this occasion.

"This I have the honour to communicate to your excellency by order of his Majesty; and I take this opportunity of renewing the assurances of my distinguished consideration, and of praying that God may preserve your life many years.

"Your Excellency's attentive and constant servant kisses your hand. EVARISTO SAN MIGUEL.
"The Palace, Jan. 9, 1823.

"To the minister of France."

NOTE transmitted by the SPANISH MINISTERS to their CHARGE'S D'AFFAIRES at the Courts of VIENNA, BERLIN, and PETERSBURGH.

Under this date I communicate to the chargé d'affaires of his Majesty at the court of ———— by royal order, the following:—

"The government of his Majesty has received communication of a note from ———— to its chargé d'affaires at this court, a copy of which note is transmitted to your excellency for your information.

"This document, full of perverted facts, defamatory suppositions, accusations equally unjust and slanderous, and vague requests, does not call for any categorical and formal reply on any of its points. The Spanish government, deferring to a more convenient opportunity the exhibiting to all nations, in a public and solemn manner, its sentiments, its principles, its determinations, and the justice of the cause of the generous nation at the

head of which it is placed, is for the present, content to declare—

"1. That the Spanish nation is governed by a constitution solemnly recognized by the Emperor of all the Russias in the year 1812.

"2. That the Spaniards, friends to their country, who proclaimed, at the commencement of 1812, that constitution which was abolished by violence in 1814, were not perjured men, but had the imperishable honour of being the instruments of the general will.

"3. That the Constitutional King of Spain is in the free exercise of the powers which the fundamental code has conferred upon him, and whatever may be alleged to the contrary proceeds from the enemies of Spain, for the purpose of blackening and calumniating her.

" 4. That the Spanish nation has never interfered with the institutions or internal government of any other state.

" 5. That the healing of the ills which may afflict Spain interests no nation more than herself.

" 6. That those evils are not consequences of the constitution, but proceed from the enemies who endeavour to destroy it.

" 7. That the Spanish nation will never acknowledge the right of any power to interfere or mix itself in its affairs.

" 8. That the government will never deviate from the line traced for it by its duties, by national honour, and by its unalterable attachment to the fundamental code sworn to in 1812.

" Your Excellency is authorised to communicate this despatch ver-

bally to the minister for Foreign affairs at—, giving him a copy if he ask it.

" His Majesty hopes that your Excellency's prudence, zeal, and patriotism will suggest to you that conduct which is firm and worthy of the Spanish name, and which, in the present circumstances, ought to be followed.

" This is what I have the honour to communicate to your Excellency by order of his Majesty, and I seize this opportunity to renew the assurances of my distinguished consideration, praying God to preserve your life many years. I kiss your hands. Your attentive and constant servant,

" EVARISTO SAN MIGUEL.

" The Palace, Jan. 9, 1823.

" To Senor ———

" Chargé d'Affaires at ———"

ADDRESS to the KING of SPAIN, voted by the CORTES in the Sitting of the 11th of January.

Sire, — The extraordinary Cortes, in hearing the notes of the Cabinets of Paris, Vienna, Berlin, and Petersburg, which your Majesty ordered to be communicated by your ministers to them, have unanimously resolved to direct their voice towards the august throne of your Majesty, in an expression of the feelings by which they are animated.

The Cortes would fail in their first duty—they would inadequately express the wishes of the people whom they represent—if they did not declare the surprise and indignation which they felt at the strange doctrines, the manifest falsehoods, the calumnious imputations which these documents contain, particularly the three latter, as vicious in their substance as contrary in their

form to the principles established among civilized nations monstrous, insulting to the Spanish nation, to its most distinguished children, to its Cortes, to its government, and even to the throne of your Majesty, which, supported by the constitution, does not suffer less than it from the attacks directed against it—in fine, to your sacred person, whose good faith and whose love for your people they endeavour by an impious temerity to call in question.

The Cortes, Sire, have heard with singular satisfaction, the frank, honourable, and energetic answer which your minister has made to these notes, and which you have communicated to the Cortes. They cannot but approve of the noble disdain with which your govern-

ment, without descending to refute assertions notoriously false, and which had they been otherwise they had no right to prefer against it, confined itself to a statement of the principles which direct it—principles which the legislative body loudly proclaims, which all Spaniards repeat, and which they will support with the constancy of a people faithful to their promises, and which nothing can shake while they defend their honour and independence.

It does not belong to the Cortes to inquire into the real motives of the conduct observed towards Spain by the Cabinets of Paris, Vienna, Berlin, and Petersburg, any more than to anticipate the results of the answers returned by the government of your Majesty, but, whatever may be these motives or results, the road which the Legislative body must follow, is marked out for them by the constitution itself—by the avowed and unanimous opinion of their constituents, and by the sentiment of national honour, which, being felt so strongly by all Spaniards, must more particularly animate the assembly of their representatives.

The Cortes, in a crisis so memorable, are called upon to exert themselves, and are in fact exerting themselves, to draw closer the ties which unite them to the royal power, and to proclaim, as they do

now proclaim afresh, in the face of the nation, of the world, and of posterity, their determined resolution to sustain the glory and the independence of the throne of your Majesty, and of your Constitutional authority, the sovereignty and the rights of the heroic nation which they represent, and the constitution by which they exist.

The Cortes are bound to assure your Majesty, and they do assure your Majesty, that to attain so sacred an object, they are ready to decree every species of sacrifice, certain that the Spanish people will bear them with joy—with enthusiasm; and that they will resign themselves to all possible evils, rather than enter into terms with those who would pretend to taint their honour, or to attack their liberties.

Such is the declaration of the Cortes: and they hope that the national power, thus fortified by the union which exists between the throne, the Cortes, and the people, will be sufficient to impose respect on the enemies of Spanish independence and liberty—to secure, perhaps, peace, and certainly the glory of the nation—to consolidate its future welfare under the empire of the constitution which governs us, and the salutary principles of which promise to our country the most flattering destinies.

PROCLAMATION.

The Duke D'Angoulême, General-in-chief of the Army of the Pyrenees, to the Spaniards.

The king of France, by recalling his ambassador from Madrid, hoped that the Spanish government, warned of its dangers, would

return to more moderate sentiments, and would cease to be deaf to the counsels of benevolence and reason. Two months and a half have passed away, and his majesty has in vain expected the establishment in Spain of an order of things

compatible with the safety of neighbouring states.

The French government has for two entire years endured, with a forbearance without example, the most unmerited provocations; the revolutionary faction which has destroyed the royal authority in your country—which holds your king captive—which calls for his dethronement—which menaces his life and that of his family, has carried beyond your frontiers its guilty efforts. It has tried all means to corrupt the army of his Most Christian Majesty, and to excite troubles in France, in the same manner as it had succeeded by the contagion of its doctrines and of its example to produce the insurrection of Naples and Piedmont. Deceived in its expectations, it has invited traitors, condemned by our tribunals, to consummate, under the protection of triumphant rebellion, the plots which they had formed against their country. It is time to put a stop to the anarchy which tears Spain in pieces, which takes from it the power of settling its colonial disputes, which separates it from Europe, which has broken all its relations with the august sovereigns whom the same intentions and the same views unite with his Most Christian Majesty; and which compromises the repose and interests of France.

Spaniards! France is not at war with your country. Sprung from the same blood as your kings, I can have no wish but for your independence, your happiness, your glory. I am going to cross the Pyrenees at the head of 100,000 French-

men; but it is in order to unite myself to the Spaniards, friends of order and of the laws, to assist them in setting free their captive king, in raising again the altar and the throne, in rescuing priests from proscriptions, men of property from spoliation, and the whole people from the domination of an ambitious few, who, while they proclaim liberty, are preparing only the slavery and ruin of Spain.

Spaniards! Every thing will be done for you and with you. The French are not, and wish not to be, any thing but your auxiliaries. Your standard alone shall float over your cities: the provinces traversed by our soldiers shall be administered in the name of Ferdinand by Spanish authorities; the severest discipline shall be observed; every thing necessary for the service of the army shall be paid for with scrupulous punctuality; we do not pretend either to impose laws on you, or to occupy your country; we wish nothing but your deliverance; as soon as we shall have obtained it, we will return to our country, happy to have preserved a generous people from the miseries produced by revolution, and which experience has taught us but too well to appreciate.

LOUIS ANTOINE.

Head-quarters at Bayonne,
April 2, 1823.

By his royal highness the prince general-in-chief, the counsellor of state, civil commissioner of his Most Christian Majesty,

MARTIGNAC.

160* ANNUAL REGISTER, 1823.

SPEECH of the KING of SPAIN on Closing the Sessions of the Legislature of 1823, and the Answer of the PRESIDENT of the CORTES.

Gentlemen Deputies.—On this solemn day, in which the present Cortes are closed, my heart is necessarily affected by sensations of different kinds, though still they accord with the circumstances in which the nation is placed. On the one hand, the evils by which she is oppressed, and, on the other, the valour of those sons who defend her, produce in my mind the natural effects of such opposite causes; and if the public calamities and the horrid abuse of my royal name by the enemies of the state, are to me matter of the deepest affliction, I likewise feel the greatest satisfaction when I contemplate the virtues by which the Spanish people are acquiring fresh claims to glory, and the conduct by which their worthy representatives have distinguished themselves during the present legislature.

Invaded as our territory is, by the most unheard-of treachery on the part of a perfidious enemy, who owe their existence chiefly to this magnanimous nation, the world beholds violated in her the rights of all countries, and all the principles the most sacred among men. Pretended defects in our political institutions—supposed errors in our interior administration, a feigned wish to restore tranquillity, the disturbance of which is the work of those alone who exaggerate it—affected concern for the dignity of a Monarch who wishes not to be one but for the happiness of his subjects—such were the pretexts of an aggression which will be the scandal of posterity, and the blackest spot of the nineteenth century. But, hypocrisy, embol-

dened by her ephemeral progress, soon threw of the mask, and, discovering all the horror of her views, no longer allows even the most duped to doubt that the only reform she aims at is, to deprive the nation of all independence, of all liberty, and of all hope: and that the dignity which she pretends to restore to my crown, consists only in dishonouring me, in exposing my Royal person and family, and in undermining the foundations of my throne, to raise herself on its ruins.

With very little reliance on their forces, and on their own valour, the invaders have not been able to advance but as cowards, by scattering corrupting gold, by recurring to the vilest shifts to seduce the incautious, and by arming in their aid treason, fanaticism, ignorance, and all the passions and crimes. In opposition to such enemies, and in so disadvantageous a struggle, to those who are acquainted with honourable warfare only, the fate of arms has hitherto been adverse. The defection of a general, whom the country had loaded with honours, annihilated an army, upset all plans, and opened to the enemy the gates of the residence of government, compelling it to remove to this spot; and the combined operations being thus frustrated, and our means of defence so considerably diminished, misfortune has since succeeded misfortune, and evils have accumulated upon a generous people who least merited them.

But in the midst of these disasters, Spain preserves her magnanimous resolution, and the Cortes,

in the closest union, with my government, have ever maintained themselves such as they were in the memorable days of the 9th and 11th of January last. The serenity and wisdom of their deliberations hitherto, amidst such bitterness and danger, the confidence which their patriotism inspires, and the hatred itself with which they are honoured by the enemies of the country, are so many proofs that they have deserved well of it. Indefatigable in promoting all the branches of public prosperity, they have issued various decrees that contribute to it, as far as circumstances permit. The public credit of the nation, her finances, her army, the interior government of the provinces, agriculture, commerce, and other branches of industry, the administration of justice and the establishment of beneficence, have all been the object of the zeal of the Cortes, and all are indebted to them for considerable improvements which time will evince to a greater extent, and which I will exert myself to further, as far as depends upon the executive power.

"Gentlemen,—I feel a real satisfaction in expressing my gratitude for these important services, for the generosity with which you have attended to the honour of my Royal Family, and for the liberality with which you have furnished my Government all the means in your power to meet the excessive expenses of the state, with the least pressure upon the nation; the powers granted to this effect, by the Cortes, to the provincial deputations, as auxiliary juntas of the national defence, have increased the resources; and the patriotism of these corporations has hitherto made, and I trust, will continue to make, of such authori-

ty, a use extremely beneficial for the support and increase of the defenders of the country.

"I likewise return thanks to the Cortes for the unlimited confidence which they have reposed in my government, authorizing it, of its own accord, and by means of its principal agents, to adopt some extraordinary measures which the present state of the nation induced me to propose as indispensable. If it really is indispensable that, in such critical times, the executive power should be sufficiently strong to prevent any machinations, and secure public tranquillity, my government never will, therefore, lose sight of the respect due to the liberty of the Spaniards, but endeavour to requite a confidence so gratifying, by acting, as hitherto, with the greatest moderation and economy.

"The position in which the events of the war have placed my Government, has produced an interruption in the communications with several of the agents of foreign Powers; but there is no reason whatever to think that this momentary interruption can disturb the relations of friendship and alliance that subsist between Spain and those cabinets.

"Particular circumstances which might expose the honour of my government have induced me to order, as a provisional measure, that my chargé d'affaires should withdraw from Lisbon.

"Nevertheless, the ties subsist untouched by which two nations are united, whose evident interest it is to live together in peace and harmony: and the commercial intercourse has continued uninterrupted.

"In the interior, every thing suffers from the fatal effects of a

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desolating war, and the most beneficent laws and measures cannot produce favourable results in the midst of such disasters. Divine Providence is pleased to try us in all ways : but I trust, gentlemen, that at last it will grant a triumphant issue to the justice of our cause. If the treason of some has done for the invaders what they could not expect from their own efforts, the country has still left many heroes who remind the French army of the Spaniards of 1813. If some governments, who are inimical to liberty and light, have conspired against us—if others have forsaken us from a near-sighted policy—all nations behold their interests connected with ours, and are ardent in their wishes that in this struggle we may be victorious.

“Gentlemen Deputies,—Then rest, for the present, from your laudable labours, and reap, from the esteem of your fellow-citizens, the fruits which you so richly deserve. Endeavour to inculcate on their minds the necessity of their all uniting around my constitutional throne and of discord and unfounded distrust disappearing from amongst us. Let the constitution be our only motto, national independence, freedom and honour our only wish, and unmoved constancy be ever opposed by us to misfortunes which we have not merited. My government shall cease to exist before it take any step contrary to the oaths by which it is connected with the country, or to what is required by the honour of the nation, and the dignity of my crown ; and, if circumstances shall require it, it will seek, in the extraordinary Cortes, a safe harbour for the vessel of the state. In such case, I will assem-

ble them, always depending upon their zeal and patriotism, and jointly we will travel in the path of glory, until a peace be obtained at once honourable and worthy of Spaniards and of myself.”

ANSWER of the PRESIDENT of the CORTES, to the KING'S SPEECH.

“Sire,—The Cortes of the Spanish nation, on terminating their ordinary sessions, could wish to congratulate your Majesty and themselves on the tranquil enjoyment of the beneficent institutions by which we are governed. But, in reality, as your Majesty has just observed, treacherous aggression has scattered over this nation all the evils of an atrocious war, in which fanaticism, the vices and ignorance of the aggressors are obstinately struggling against the virtues, the honour, and the illumination of the offended. In such a situation, the noble resolution of upholding the contest, so as either to vanquish or perish with glory, is worthy of Spanish breasts.

“And what pretences have they chosen for hostilities that will ever be the scandal of the civilized world ? To protect religion, and maintain the prerogatives of your Majesty's throne, through a reform in our constitution. But religion is not protected by the violence of the superstition of the barbarous ages ; nor are the throne and person of your Majesty defended by exposing them to universal dispute, by the excesses which are committed in the abuse of your Majesty's name. Above all, foreign legions, with arms in their hands, do not intend to reform the constitution of any country, but rather endeavour the destruction of its liberty, and the violation of

its most valuable rights: but can these be the active measures, at this moment, of Princes who, but lately, owed to our firmness, and to the exalted state of those principles which they are persecuting, some the restitution, and others the preservation of their thrones, and all the security of that power which they now employ to reward such benefits, at our hands, by injuries and calamities? Such conduct can be sanctioned only by the perfidious ingratitude of those Princes who debased and prostrated themselves before a daring soldier; nor can it be supported and adopted but by degraded Spaniards, who are absolute strangers to honourable sentiments and national independence.

"The contest at last begun, we at first experienced reverses from it, of which some should not surprise us, because they were foreseen, and others have been the results of seduction and deceit, rather than of the power of the aggressors. But these momentary advantages, far from humbling our valour, have given us fresh vigour, and, confiding in the justice of our cause, we await our triumph unmoved.

"The august person of your Majesty and his royal Family being now sheltered within these impenetrable walls, together with the national representation, from them we will repeat the lesson which we gave, some years ago, to the armies the most formidable in the world, by the talents of the chief who directed them, and by the numbers of which they were composed. In a crisis so terrible, the Cortes have done all they had to do, which was, *to be faithful to their oath*. To this effect, they have put their courage to the sever-

est trial, and performed all that necessity required; and, however painful some of their resolutions may have been to them, the sacred duty imposed on them and the fundamental law compelled their adoption.

"The just wish to provide the necessary resources, in order to maintain the independence of the nation, has likewise induced them to grant the aids of men and money which have been called for, as well as the extraordinary powers which circumstances required, and which the patriotic government of your Majesty so well merited; the Cortes having ever been guided by the sole object of saving the country from the abyss in which its enemies wish to plunge it; employing their utmost zeal in so regulating the distribution and the means of execution as, at the same time, and as far as possible, to attend to the relief as well as welfare of their constituents.

"In the arduous position in which the Cortes were placed, almost from the moment of their first assembling, an external war on the one hand, and on the other the lamentable effects of the sordid machinations of the enemies of light, of the painful dereliction of some perverse ministers of religion, and of the stubborn conduct of certain individuals inured to the exercise of despotism, they were scarcely allowed time to attend to other matters. Nevertheless, unwilling to omit any thing intrusted to them, they have endeavoured, by all the means in their power, to open the sources of public wealth, to set aside the impediments which industry laboured under, and to facilitate trade and circulation; careful at the same time, to secure the right administration of justice,

and the safety of the persons and property of Spaniards. If they have not accomplished more, it has been owing to that unfortunate moment when the chiefs of the European nations conspired against us.

"It is truly lamentable that this generous nation should not have her friendly intercourse required by the rest in the way that their common interest requires; but she, not being answerable for an aberration of mind so ill becoming the enlightened age in which we live she must console herself with not having provoked evil, and having ever been disposed to good; and, above all, to distinguish, by real proofs of useful and reciprocal union, those states which were disposed to preserve and appreciate these valuable ties, and not to sacrifice the interests of their subjects to the passion or caprice of their rulers.

"The steady and constitutional conduct of your Majesty's government leads the Cortes to rely most fully that it will continue to advance, thus nobly, in the path of glory, overcoming every obstacle, and steering the vessel of the state safely into harbour, aided by the zeal and resolution of the heroic soldiers of all arms, the praiseworthy constitutional corporations, and, in general, by the noble intrepidity of the Spaniards.

"The Cortes, satisfied with the testimony of their conscience, having religiously discharged their duties, and without any remorse arising from there political conduct, are come again to this invincible island, the terror of tyrants and the support of free men, and have assembled anew in this very temple where, in spite of the then ar-

biter of diadems and of thrones, that constitution was formed and sanctioned, in 1812, which is to be the source of our prosperity.

"If in raising on this spot that everlasting monument of heroism and wisdom, and despising the fire and the snares of an enemy crafty and terrible, those who had the good fortune to be deputies, showed themselves deserving of their mission, the present representatives of the Spanish nation will imitate the exalted example of magnanimity in danger, left them by their predecessors. Resolved never to compound with their own infamy, they will maintain, at all risks, the oath they have taken.

"On all occasions, whether prosperous or adverse, your Majesty will never find them retrograding in the career of honour; and if, once more assembled in extraordinary Cortes, the good of the country so requiring it, these deputies should have again to exercise the legislative functions, they will repeat, in the face of the whole world, what they declared in their sittings of the 9th and 11th of January last, and expressed anew on the 29th of July, with general applause.

"Your Majesty may make yourself easy, in the full confidence and security that you will find them by your side whenever your Majesty may apply to them to support the dignity of your constitutional throne: and that they never can wish for a day of greater joy to them than that on which, removed with your Majesty to the centre of the monarchy, they may be able to congratulate your Majesty on the attainment of victory, after having driven the enemy beyond the Pyrenees."

PROCLAMATION issued by the KING of SPAIN on the Day before he quitted Cadix.

"It being the first care of a king to promote the happiness of his subjects, and this being incompatible with the uncertainty which at present hangs over the future destiny of the nation, and of the individuals composing it, I hasten to calm the anxieties and inquietude arising from an apprehension that despotism will be established, or that it will be governed by faction. Identified with the nation, I have, with her, run every hazard of the war to the last, but the imperative law of necessity compels a termination to it. Under the difficulty arising from these circumstances my powerful voice alone can chase from the kingdom vengeance and persecution."

The preamble goes on to state Ferdinand's anxiety to dissipate the horrors which threatened Cadiz, and to put an end to the disasters of war, with which view he had resolved to quit the city on the succeeding day, previously making known his sentiments in the following manifesto:—

"1. I declare from my own free and spontaneous will and promise, under the faith and security of my royal word, that if it should be found necessary to make any alteration in the existing political institutions of the Monarchy, I will establish a government which shall cause the complete felicity of the nation, guaranteeing the security of the persons, property, and civil liberty of the Spanish people.

2. In like manner, I promise, of my own free and spontaneous will, and have resolved to carry into effect, a general act of oblivion, complete and absolute, for all that is past, without any exception, in

order that by so doing, tranquillity, confidence and union, so necessary to the common good, may be established among the Spanish people, and which my paternal heart so earnestly yearns after.

"3. In like manner, I promise, that whatever change may be made, the public debts and obligations contracted by the nation, and by my government, under the present system, shall be acknowledged.

"4. I also promise and assure, that all the generals, chiefs, officers, serjeants, and corporals, of the army and navy, who have hitherto attached themselves to the existing system of government, in whatever part of the Peninsula, shall preserve their grades, employments, salaries, and honours: and in like manner all other military functionaries shall preserve theirs, and also those civilians and ecclesiastics, who have followed the government and the Cortes, who depend on the existing system; and those who by reason of the reductions which may be made, cannot preserve their employments, shall enjoy, at the least, one half the salaries which they now have.

"5. I declare and assure equally, that as well the Militia Volunteers of Madrid, of Seville, and of other places, who may now be in this island, as also whatever other Spaniards may have taken refuge in it, who are not by reason of their employments obliged to remain, may, from this moment, freely return to their homes, or transfer themselves to any part of the kingdom they may think proper, under the fullest security of not being molested at any time on account of their anterior political conduct or

opinions; and the militia, who may be in need of it, will obtain for their journey the same assistance as the individuals composing the government army. Spaniards of that class, and strangers who may

wish to quit the kingdom, may do so with equal liberty, and will obtain the necessary passports for the country where it may suit them to go.

"FERNANDO."

"Cadiz, Sept. 30, 1823."

PROCLAMATION of the Infant DON MIGUEL, addressed to the PORTUGUESE NATION at Villa Franca.

"Portuguese,—It is time, in the name of the best of kings, to break the iron yoke beneath which we live with so much ignominy. We have long endured an intolerable despotism. It is not without extreme pain that I have withdrawn obedience from my august father; but I should blush, if the evils, which weigh down the generous nation to which I belong, could permit my resolution to be shaken.

"It is time to arrest the course of those evils which overwhelm the nation, and my honour will no longer suffer me to remain in shameful and inglorious inactivity. The majesty of outraged royalty is become the laughing-stock of the factious. All classes of the nation are overturned by infernal wiles, and we shall be despised by Europe and the whole world, if we are so cowardly as longer to suffer such abasement.

"Since the 24th of August, 1820, when liberty was solemnly proclaimed, and promised to the nation, we have rapidly advanced towards ruin. A king reduced to a mere shadow of authority—a magistracy insulted and divested of its rights—a nobility humbled, despised, and stripped of all consideration—religion and its holy ministers turned into derision, and a butt for mockery. What must a nation become, suffering under such debasement?

"Portuguese arise! Longer to remain in this state of apathy would be weakness the most infamous. Already have the generous warriors of Tras-os-Montes preceded us in this struggle. Come, then, and let us unite under that royal standard which I have raised for the deliverance of our king.

"His majesty—free—will give a constitution to his people. Let us confide in his paternal sentiments, which will be found alike exempt from despotism and licentiousness—which will at once reconcile the nation with itself, and with all civilized Europe. Come, then, with me, valiant and intrepid Portuguese—decide with me to perish, or give liberty and authority to his majesty, and to all classes their several rights.

"And you ecclesiastics, and noble citizens of every class, hesitate not, but come and lend your aid to the sacred cause of religion and royalty—the cause, indeed, of all. Swear not to taste repose until we shall have re-established the king in his full plenitude of authority. Fear not that we shall return to despotism, or that vengeance will be exercised on any. We swear by our religion and our honour, that we seek only the union of the Portuguese people, and oblivion of the past.

(Signed) "MIGUEL."

"Villa Franca, May 27, 1823."

PROCLAMATION of the KING of PORTUGAL.

"Inhabitants of Lisbon.—The salvation of the people has always been a supreme law, and to me a sacred law; this conviction, which has been my guide in the critical circumstances in which Providence has placed me, imperiously prescribes the resolution which I have taken to-day, with regret, to separate myself from you for some days, yielding to the prayers of the people, and to the desires of the army, which accompanies me, or has preceded me.

"Inhabitants of Lisbon.—Make yourselves easy; I will never belie the love which I consecrate to you; I sacrifice myself for you, and, in a short time, your dearest wishes will be fulfilled.

"Experience, the wise instructress of nations and governments, has demonstrated, in a manner very afflicting to me and fatal to the nation, that the existing institutions are incompatible with the will, the customs, and the persuasions of the greater part of the monarchy; the evidence of facts confirms these assertions; Brazil, that interesting part of the monarchy, is torn to pieces; in the kingdom, civil war has caused Portuguese blood to be shed by the hands of their countrymen; the danger of foreign war is imminent, and the state is threatened with total ruin, unless the most prompt and efficacious means are adopted. In this afflicting crisis, I act as the

king and father of my subjects, to save them from anarchy and invasion, by consolidating the parties which are hostile.

"To attain this desirable end, it is necessary to modify the constitution. If it had made the happiness of the nation, I would continue to be its first guarantee; but when the majority of a nation declares itself so openly and hostilely against its institutions, those institutions need reform.

"Citizens, I do not desire, nor ever did desire, absolute power; and I this day reject it: the sentiments of my heart are repugnant to despotism and to oppression. I desire only the peace, the honour, and the prosperity of the nation.

"Inhabitants of Lisbon.—Do not fear for your liberties, they shall be guaranteed in a manner which, securing the dignity of the crown, shall respect and maintain the rights of the citizens. Meantime, obey the authorities; avoid private revenge; stifle the spirit of party; avoid civil war; and in a short time you shall see the bases of a new code, which, securing personal safety, property, and employments, duly acquired in any period of the actual government, shall give all the guarantees that society requires, unite all wishes, and make the prosperity of the whole nation.

"JOHN VI., King."

"Villa Franca de Xera, May 31, 1823."

 DECREE of the KING of PORTUGAL, appointing a JUNTA.

"Considering that the constitution of 1822 (founded on vain theories, incompatible with the ancient habits, opinions, and wants of

the Portuguese nation) far from attaining the end which its authors announced, was in contradiction with the monarchical principle

which it appeared to consecrate, ill adapted to conciliate and to maintain the rights and interests of the various classes of the state, and incapable of uniting the minds of all the citizens; I judged it necessary to yield to the general and spontaneous wishes of the nation, convinced by melancholy experience of the sinister intentions of the disorganising faction, and to declare the constitution void *de jure*, as it had already been found impracticable and absurd.

"In conformity, therefore, with the dearest wishes of my royal heart, and with the sincere promises which I made in my proclamations and declarations, effectually to promote the happiness of my subjects, by means of institutions, which, on the one hand may restore to the throne on which Divine Providence has placed me, the grandeur and consideration which become it; and, on the other hand, secure to the Portuguese the solidity and duration of the individual right; and considering that the ancient fundamental law of the monarchy cannot now, as it formerly did, fully answer the ends which I have conceived in my paternal mind, unless it be accommodated to the actual state of civilisation, to the relations of the various parts of which the Portuguese monarchy is composed, and to the forms of the representative governments established in Europe, I have thought fit to appoint a Junta to prepare the plan of a fundamental law of the Portuguese monarchy, trusting that the said Junta will apply with the most assiduous

and sincere attention to fulfil the important task which I have intrusted to them, and will, with the least possible delay, submit to my royal approbation the new fundamental law, which, regulated by the sound principles of public law, may establish in perfect harmony the exercise of the supreme power, and the permanent legal security of the people, opening the roads which may conduct the public administration, by progressive amelioration, to that degree of perfection which is compatible with human institutions, and fix at once the future destinies and the prosperity of the Portuguese monarchy. The said junta shall be composed of 14 members, named in the subjoined list, signed Manuel Ignacio Martin Pamplona, Costa Real, member of my council, and preceded by the Conde de Palmella, minister of state for foreign affairs—Palace of Bemposta, June 18."

Signed by HIS MAJESTY.

LIST OF THE JUNTA.

Antonio Jose Guiao, archbishop of Evora; Francisco do Borja Gascao Stockeler; F. M. Trigueiro de Aragao Morato; J. de Sousa Pinto de Magalhaes; J. Antonio Faria de Carvalho; J. A. de Oliveira Leite; J. J. Rodrigues de Bastos; J. M. Dantas Pereira; D. Manoel de Portugal; M. V. Teixeira de Carvalho; Marques de Olhas; Monsenhor Gordo; Ricardo Raymundo Noquiera.

(Signed)

J. M. PAMPLONA, Costa Real
Palace of Bemposta, June 18, 1823.

MANIFESTO of the EMPEROR of BRAZIL, to the BRAZILIANS, after he had dissolved the CONGRESS.

Providence, which watches over the stability and preservation of nations, has in its profound wisdom permitted, that this empire should, after the confirmation of its independence, and the union of all its provinces, even those most remote, continue to advance in the career of consolidation and prosperity. The constituent and legislative assembly laboured with assiduity, discernment, and activity, to form a constitution calculated firmly to plant the constitutional system, and cause it to take deep root in this extensive empire. On this immoveable foundation, the construction of the social edifice was steadily proceeding, and such was the opinion entertained by foreigners of the Brazilian nation, that the principal powers of Europe would soon have recognized the independence of the empire, and would even have been ambitious of contracting political and commercial relations with us. This brilliant prospect, which nothing seemed capable of obscuring, was dimmed by the unexpected storm which overcast our horizon. The genius of mischief inspired restless and evil-disposed spirits with criminal designs, and kindled the flame of discord in the public mind. Some time ago it began to be seen and ascertained that there did not prevail in the assembly that uniformity of true principles which distinguishes constitutional governments; and that harmony of separate powers which constitutes their moral and physical force began to waver. Various and continued attacks on the executive power, and its concessions for the sake of harmony, enervated the force of

the government, and silently undermined it. The spirit of disunion went on increasing; the gall of distrust overflowed; parties were secretly formed; and a disorganising faction suddenly appeared, and acquired a force which began to alarm the minds of all worthy Brazilians, who, solely animated by zeal for the public good, and the purest patriotism, trembled with horror at the prospect of future dangers which they foresaw and expected. Meanwhile, those men who had meditated and contrived subversive plans, and who continued to practise their sinister arts, gained over some honest and simple persons, by holding out the flattering idea of the better security of liberty—that sacred idol, always adored, but too often misunderstood; others by persuading them that the government had become despotic; and some, perhaps, by the promise of advantages which their own extravagant imaginations exaggerated. At last they carried their malignity so far as to propagate the calumny, that the perfidious and insidious project of a union with the Portuguese government was adopted.

The plans being laid, the means of acting on them arranged and put in motion, and the difficulties smoothed which were supposed to present obstacles in the way of success, it was determined that the conceived and long premeditated design should be carried into effect.

One of the means chosen as most certain was to sow discord between the citizens born in Brazil and those who are natives of Portugal, by the means of journals written

with a dexterous artifice and virulence, aiming at the destruction of the moral force of the government, and threatening my imperial person with the examples of Iturbide and of Charles I., and also through emissaries who supported and propagated the same seditious principles.

The fermentation which was to produce the revolutionary volcano being thus prepared, the faction which had become preponderant in the assembly availed itself for the fatal explosion of a petition from the citizen David Pamplona—described as a Brazilian by birth, being, nevertheless, a native of the Portuguese islands,—who complained of some blows which he had received from two Brazilian officers, natives of Portugal, and who, according to the opinion of a committee, ought to have proceeded by the ordinary course of law. Before daylight, and with the most criminal forethought, the leaders of this horrible faction, assisted by their partisans, invited a number of persons to come armed with poniards and pistols to support them, by spreading terror among those illustrious, honourable, and worthy deputies of the assembly, who, faithful to their oaths, made it their sole endeavour to fulfil the just confidence reposed in them by the noble Brazilian nation, and who, consequently, wished to maintain the tranquillity necessary to their deliberations.

On that unhappy day, tragic and frightful scenes took place. Cries were set up, and supported in a manner equally extraordinary and scandalous. The illustrious president, with a prudent vigilance displayed in the breaking up of the sitting, put a stop to evils which would have burst forth with the

dreadful noise of an immense volcano, fermented by the fury of parties, by national hatred, by the thirst of vengeance, and by the most inflated ambition. Such was to be expected from the great number of persons, who, within and without the assembly, were disposed to sustain the projects of this terrible faction; and such was to be feared from the great quantity of arms profusely sold in the city on the preceding days, and from the scandalous acclamations by which the leaders of the wicked party were received and extolled by their satellites when they came out of the assembly, in despite even of my imperial presence.

This scene of danger was again renewed. Violent and virulent speeches from those who belong to the faction continued to fan the flame of discord, and many of their dependents, both in the galleries of the assembly and without, protected the horrible results which were the necessary consequences of the premeditated plans. To this end they demanded and obtained the establishment of a permanent session, under the specious pretext that it was not fit it should be dissolved until tranquillity should be established. For this latter object, I had commanded the whole of the troops to march and assemble in the plain of S. Christovao, with the just design of leaving the assembly in perfect liberty; and I afterwards acquainted the assembly with this determination, in order that they might take into consideration the motives which I justified it, and the necessity of providing some positive measures tending to the re-establishment of tranquillity. No such measures, however, were taken, but they continued, on the contrary to pursue their discussions

with the same warmth and obstinacy ; and, under cover of a multitude of specious pretexts, the ruin of the country was aimed at, while their first and most decided attacks were directed towards my august person, which was treated with every disrespect that calumny and malignity could suggest.

Nor was revolutionary fury the only feeling which appeared in these extravagant attacks. They went still further, and aimed at an excessive restriction of the attributes, which belong, by the very nature of representative governments, to the head of the executive power, and which had been conferred on me by the nation as constitutional emperor and perpetual defender of Brazil. They even went so far as to require, that the whole or a great part of the troops should withdraw to a distance from the city ; thus leaving the government without its necessary vigour and support.

The delay in adopting decisions, which is always dangerous in urgent cases, and which must finally prove fatal in the present melancholy state of affairs—the horrible prospect of some imminent catastrophe—the despair of some—the pride and political fanaticism of others—the alarm and fear of all peaceful citizens—the dangerous state of the country, and the dread of the ruin and subversion of the state,—all imperatively demand prompt and efficacious measures, and remedies which, though apparently violent, can alone succeed in producing early and happy results.

And what measure would be the most likely to succeed in so arduous and perilous a crisis? What dike could be found to stay the revolutionary torrent, to bear up

against the force of its waves, and to paralyse them completely? No other was so obvious or so powerful as the dissolution of the assembly. This, and the dismissal of the ministers, are the preservatives from public disorders in constitutional monarchies ; this last was put in practice, and there was then no other resource left than to carry the first into execution, though to the great sorrow and grief of my imperial heart. Actuated, therefore, by these powerful motives, and by the urgent necessity of saving the country, which is a supreme law, and justifies extreme measures in cases of great risk, I commanded the dissolution of the assembly by the decree of the 12th current, at the same time directing the convocation of another, according to the public constitutional law, to which I am desirous to conform.

In that same decree, as well as in that of the 13th, which repeated and extended it, irrefragable proofs were given of the absolute necessity of adopting so forcible a measure, and of my anxious desire to re-establish the constitutional system, which was proclaimed by the Brazilian nation, and which can alone ensure the happiness of the empire. If circumstances, so difficult and perilous, have compelled me to put in practice so violent a remedy, I have only to observe that extraordinary evils require extraordinary measures, and that it is to be hoped that they will never be rendered necessary again. The people, now satisfied of the extent of my magnanimity and constitutional principles, and of my earnest desire to promote the national happiness and tranquillity, will desist from the commotion caused by this disastrous event, which is equally

painful to myself, and will continue to enjoy the peace, tranquillity, and prosperity, which

the constitution promises and secures.

THE EMPEROR.

Rio, Nov. 16. 1823.

PROJECT of the BRAZILIAN CONSTITUTION.

The following are the principal clauses of the project of constitution for the empire of Brazil, organized in the Council of State, on bases presented by the Emperor ;—

TITLE I.—Of the Empire of Brazil, its Territory, Government, Dynasty, and Religion.

Art. 1. The empire of Brazil is the political association of all Brazilian citizen. They form a free and independent nation, which admits of no other bond of union or federation which may be opposed to its independence.

Art. 2. Its territory is divided into provinces, in the form at present existing, which may be subdivided as the good of the state requires.

Art. 3. Its government is a monarchy, hereditary, constitutional, and representative.

Art. 4. The reigning dynasty is that of Senhor Don Pedro, the existing Emperor and perpetual defender of Brazil.

Art. 5. The catholic apostolic roman religion shall continue to be the religion of the empire. All other religions will be tolerated, with their domestic or particular worship, without any external form of temple.

TITLE II.—Of Brazilian Citizens.

Art. 6.—Those shall be Brazilian citizens—1. who are born in Brazil, whether free-born or freedmen. This will be the case

though the father be a foreigner, provided he does not reside in Brazil in the service of his nation. 2. The sons of a Brazilian father, or the illegitimate children of a Brazilian mother born in a foreign country, who may come to establish their domicile in the empire. 3. The children of a Brazilian father who may be in a foreign country in the service of the empire, even though they should not come to establish themselves in Brazil. 4. All those born in Portugal or its possessions, who, being resident in Brazil at the time of proclaiming the independence of the provinces in which they reside, shall adhere to that independence expressly or tacitly by continuing their residence. 5. Naturalized foreigners, whatever be their religion. The law shall determine the qualities necessary to obtain naturalization.

Art. 7. He shall lose his rights of Brazilian citizen—1. Who naturalizes himself in a foreign country. 2. Who, without leave from the Emperor, shall accept employment, pension, or decoration from any foreign government. 3. He who is banished by judicial sentence.

Art. 8. The exercise of political rights is suspended. 1. By incapacity, physical or moral. 2. By judicial degradation.

TITLE III. Of Powers and the National Representation.

Art. 9. The division and harmony of political powers is the

conservative principle of the rights of the citizens, and the most secure means of establishing the effective guarantees which the constitution offers.

Art. 10. The political powers recognized by the constitution of Brazil are four—the legislative power, the moderating power, the executive power, and the judicial power,

Art. 11. The representatives of the Brazilian nation, are the Emperor and the General Assembly.

Art. 12. All powers in the empire of Brazil are delegations from the nation.

TITLE IV. Of the Legislative Power.

Chapter I.—Of the branches of the Legislative Power, and their separate jurisdiction.

Art. 13. The legislative power is delegated to the general assembly with the sanction of the Emperor.

Art. 14. The general assembly is composed of two chambers—the chamber of deputies, and the chamber of senators or senate.

Art. 15. It belongs to the general assembly—1. To take the oath of the Emperor, the Imperial Prince, the Regent or Regency. 2. To elect the Regent or Regency, and to mark the limits of its authority. 3. To recognize the Imperial Prince as successor to the throne, in the first meeting after his birth. 4. To nominate a tutor to the Emperor when a minor, in case his father shall not have nominated one in his testament. 5. To resolve the doubts that may arise relative to the succession to the throne. 6. On the death of the Emperor, or a vacancy of the throne, to institute an inquiry into the administration which has concluded, and to

reform abuses introduced into it. 7. To select a new dynasty in case of the extinction of the present one. 8. To make laws, to interpret them, and to suspend them. 9. To watch over the constitution, and to promote the general good. 10. To fix annually the public charges, and to assess the direct contribution. 11. To fix annually, on the report of the government, the ordinary and extraordinary forces by sea and land. 12. To grant or to refuse an entrance to foreign troops, by sea or land, within the empire or its ports. 13. To authorize the government to contract loans. 14. To establish convenient means for the payment of the public debt. 15. To regulate the administration of the national domains, and to decree their alienation. 16. To create or suppress public employments, and to establish those that are ordered. 17. To determine the weight, value, inscription, type, and denomination of money, as well as to regulate weights and measures.

Art. 16. Each legislature shall last four years, and every session four months.

Art. 17. Each of the chambers shall have the title of “the August and most worthy representatives of the nation.”

Art. 18. The Imperial session of opening will every year be the 3rd of May.

Art. 19. The session of prorogation shall likewise be imperial, and both shall take place in general assembly, the two chambers being united.

Art. 20. The ceremonial, and the manner in which the Emperor shall take part in the business, shall be settled by an interior regulation.

Art. 21. The nomination of the

respective presidents, vice presidents, and secretaries of the chamber, the verification of the powers of its members, the form of the oath, and the internal police, shall be executed according to regulations to be enacted.

Art. 22. In the meeting of the two chambers, the president of the senate shall preside; the deputies and senators shall occupy places promiscuously.

Art. 23. To constitute a chamber at the commencement of a session, it will be necessary that the half of the members, and one more should have assembled.

Art. 24. The sittings of both chambers shall be public, with the exception of cases where the public good shall require secret sittings.

Art. 25. Business shall be decided by a plurality of votes of the members present.

Art. 26. The members of each of the Chambers are inviolable on account of the opinions which they shall utter in the exercise of their functions.

Art. 27. No senator or deputy, during his deputation, can be arrested by any authority, except by order of his respective chamber, unless in *flagrante delicto* of a capital crime.

Art. 28. If any senator or deputy be denounced, the judge, suspending every ulterior proceeding, shall give an account to his respective chamber, which shall decide whether the proceeding is to go on, and whether the member shall be suspended in the exercise of his functions.

Art. 29. Senators or deputies may be elected Ministers, or Councillors of State, with this difference; that the senator may continue in his chamber, while the deputy must be sent to a new election.

Art. 30. They may enjoy the two offices, if they exercised one of them at the moment of election.

Art. 31. No person can be at the same time a member of the two chambers.

Art. 32. The exercise of any other function, except that of councillor or minister of state, ceases as long as the functions of the deputy or senator continues.

Art. 33. In the interval of the sessions, the Emperor shall not have it in his power to employ a senator or deputy beyond the empire: nor shall they exercise these employments, when they would render it impossible to attend on the convocation of the chambers.

Art. 34. If the good of the State should render in any unforeseen case a breach of this rule necessary, the respective chamber shall determine on that necessity.

Chapter II.—Of the Chamber of Deputies.

Art. 35. The Chamber of Deputies is elective and temporary.

Art. 36. The Chamber of Deputies has the initiative—1. On taxes. 2. On recruiting. 3. On the choice of a dynasty, in case of the extinction of the reigning family.

Art. 37. The Chamber of Deputies shall likewise have the initiative in the following cases:—1. An inquiry into the past administration, and the reform of abuses introduced into it. 2. The discussion of propositions made by the Executive power.

Art. 38. They shall likewise decree the impeachment of ministers.

Art. 39. The deputies shall enjoy during the session a pecuniary subsidy, besides receiving the expenses of their journey to and from the chamber.

Chapter III.—*Of the Senate.*

Art. 40. The senate is composed of members elected for life, and will be organized by a provincial election.

Art. 41. Every province shall elect a number of senators equal to half its deputies, if the number of deputies be an even one—if not, a number less than the half by one. Thus a province which sends 11 deputies shall only elect five senators.

Art. 42. But if a province has only one deputy, it shall nevertheless have a senator.

Art. 43. The elections shall take place in the same way as for the deputies, but in triple lists, and the Emperor shall choose the third part of the whole list.

Art. 44. Vacancies shall be filled up in the same way as a first election.

Art. 45. To be a senator it is required.—1. That he be a Brazilian citizen, and enjoy political rights.—2. That he be 40, or upwards.—3. That he be a person of knowledge, capacity, and virtue, giving a preference to those who have performed services to their country.—4. That he enjoy an income from land, industry, or commerce, of 800 milreas.

Art. 46. The princes of the Imperial House, are of right, members of the senate, and take their seat as soon as they are 25 years of age.

Art. 47. It is the exclusive privilege of the Senate.—1. To take cognizance of the individual offences committed by the royal family, the ministers, and the councillors of state, and the senators; and the offences of the deputies during the period of the legislative session.—2. To enforce the responsibility of the secretaries and

councillors of state.—3. To expedite letters for the convocation of the assembly, in case the Emperor has not done so two months after the time prescribed by the constitution.—4. To convocate the assembly on the death of the Emperor, for the election of a regency, when necessary.

Art. 48. In proceeding against crimes, the impeachment of which does not belong to the Chamber of Deputies, the procureur of the Crown shall be the accuser.

Art. 49. The sessions of the senate shall commence and finish at the same time as those of the Chamber of Deputies.

Art. 50. With the exception of the cases ordered by the constitution, every meeting of the Senate beyond the time of the sittings of the Chamber of Deputies is illicit and of no effect.

Art. 51. The salary of the senators shall be one half more than that of the deputies.

Chapter IV.—*Of the Proposition, Discussion, Sanction, and Promulgation of Laws.*

Art. 52. The proposing, the opposing, and the approving of projects of laws, are within the power of each of the chambers.

Art. 53. The Executive power exercises, through any of the ministers of state, the proposition of laws; but these propositions can only be converted into projects of law after an examination by a commission of the chamber.

Art. 54. Ministers may assist and discuss propositions, but are not allowed to vote, unless they be members of the chamber.

[Art. 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, relate merely to the mode of proceeding with respect to bills in the two chambers, and the rules

which regulate the communications between them.]

Chapter V. — Of the Councils General of the Provinces and their Jurisdiction.

Art. 71. The constitution recognizes and guarantees the right of every citizen to take a management in the affairs of his province, which may have a relation to his individual interests.

Art. 72. This right will be exercised by chambers of districts, and councils called "councils general of the provinces."

Art. 73. Each of these councils shall consist of 21 members, in the most populous provinces.

[The other articles of this chapter, namely, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89, regulate the composition, business, and mode of proceeding of those councils; matters, which do not seem to come within the range of a fundamental or constitutional act.]

Chapter VI. — Of the Elections.

Art. 90. The nomination of the deputies and senators for the general assembly, and of the councils general of the provinces shall take place by indirect elections, the mass of active citizens electing in parochial assemblies the electors of provinces, and the latter choosing the representatives of the nation and the province.

Art. 91 and 92. All Brazilian citizens have a vote in the parochial assemblies, with the exception of minors, military officers, priests, monks, servants, and a description of persons that may be called paupers.

Art. 93. Those who cannot vote in the parochial assemblies, cannot be members of, or vote for any authority.

Art. 94. Fixes the qualification of a provincial elector at 200 milreas, arising from land, industry, or commerce.

Art. 95. Freemen cannot vote at provincial elections.

Art. 96. To be eligible to the Chamber of Deputies a qualification of 400 milreas of nett annual income is required. Naturalized foreigners and persons not professing the religion of the state, are excluded.

TITLE V. — Of the Executive Power.

Art. 100. The title of the emperor shall be that of "Constitutional Emperor, and Perpetual Defender of Brazil;" he shall be addressed by the style of "Imperial Majesty."

Art. 101. The Emperor exercises the moderating power.—1. By nominating the senators as prescribed in article 43. 2. By convoking the extraordinary general assembly in the interval between the sessions. 3. By sanctioning the decrees of this assembly to give them the force of law. 4. By proroguing the general assembly, and dissolving the Chamber of Deputies, in cases in which the safety of the state shall require it. 5. By nominating his ministers. 6. By suspending magistrates. 7 and 8. By pardoning and granting amnesties.

Chapter II. — Of the Executive Power.

Art. 102. The Emperor is the chief executive power, which he exercises through his ministers of state. The following are its principal attributions.—1. He convokes the general assembly. 2. He nominates bishops, magistrates, commanders by sea and land, and am-

legators. He forms alliances and enters into political foreign negotiations. He declares war and makes peace. He gives letters of naturalisation, &c. &c.

Art. 108. The emperor, before being proclaimed, shall take before the president of the senate the following oath—"I swear to maintain the Roman Catholic religion, the integrity and indivisibility of the empire, to observe, and to cause to be observed, the political constitution of the Brazilian nation, and the laws of the empire: and to provide for the welfare of Brazil as far as in me lies."

Art. 104. The emperor cannot go out of Brazil without the consent of the general assembly; and if he does so, he is considered as abdicating the Crown.

Chapter III.—*Of the Imperial Family and its Income.*

[Under this head the articles from 105 to 115, are unimportant; they regard income or detation, and refer merely to future regulations.]

Chapter. IV.—*Of the Imperial Succession.*

Art. 116. The Senhor Don Pedro I., by the unanimous acclamation of the people, now constitutional emperor and perpetual defender, shall always reign in Brazil.

Art. 117. His legitimate posterity shall succeed to the throne according to the regular order of primogeniture and representation, the anterior line being always preferred to the posterior; in the same line, the nearest degree to the more remote; in the same degree the masculine sex to the feminine; and in the same sex, the senior there aged to the younger.

Vol. LXV.

Art. 118. In the case of the lines of the legitimate descendants of Don Pedro I. becoming extinct, the general assembly shall, during the life of the last descendant, elect a new dynasty.

Art. 119. No foreigner can succeed to the imperial crown of Brazil.

Art. 120. The marriage of the princess, presumptive heir of the crown, shall take place with the emperor's approbation. In case there should be no emperor at the time when such marriage is proposed, it cannot be concluded without the approbation of the general assembly. Her husband can take no part in the government, and is not to be called emperor, until he have a son or daughter by the empress.

Chapter V.—*Of the Regency during the Minority or Unfitness of the Emperor.*

Art. 121. The emperor is a minor until the age of 18.

Art. 122. During a minority the empire shall be governed by a regency, to which shall belong the relative nearest of kin to the emperor, who shall be aged more than 25 years.

Art. 123. If there be no relative of the emperor qualified, the general assembly shall appoint a permanent regency, consisting of three members, the oldest of whom shall be president.

Art. 124. Until the permanent regency be appointed, the empire shall be governed by a provisional regency, composed of two ministers of state and of justice, and of the two oldest councillors of state, presided by the empress dowager; and, failing her, by the oldest councillor of state.

Art. 125. [The object of this M°

article appears to be, to provide for the case of the death of the empress.]

Art. 126. [This article directs, that in case of physical or moral incapacity on the part of the emperor, recognized by a majority of each of the chambers of the assembly, the prince regent, if he be turned of 18, shall be appointed regent.]

Art. 127. The regent or regency shall take the oath mentioned in Art. 103, with the addition of a clause for fidelity to the emperor, and for the delivery of the government as soon as he shall be of age, or his incapacity shall cease.

Art. 128. The acts and orders of the regent or regency shall be issued in the name of the emperor.

Art. 129. Neither the regent nor the regency shall be responsible.

Art. 130. During the minority of the successor to the throne, he shall have for his tutor the person appointed by his father's will; or failing such person, the empress mother, while she remains unmarried; failing her, the assembly shall appoint a tutor; but the appointment must not be given to the next heir to the crown.

Chapter VI.—*Of the Ministry.*

Art. 131. There shall be different secretaryships of state, to which shall be referred the affairs belonging to each.

Art. 132. Orders shall proceed from the ministers of state, otherwise they cannot be executed.

Art. 133. The ministers of state shall be responsible—1. For treason. 2. For corruption, subornation or extortion. 3. The abuse of power. 4. For failure in the observance of the law. 5. For acts

contrary to the liberty, security, or property of citizens. 6. For any waste of public property.

Art. 134. A particular law shall specify the nature of these offences, and the manner of proceeding against them.

Art. 135. The ministers cannot escape from their responsibility, in consequence of any orders given by the emperor, whether verbal or written.

Art. 136. Foreigners, although they may be naturalized, cannot become ministers of state.

Chapter VII.—*The Council of State.*

Art. 137. There shall be a council of state composed of councillors for life, appointed by the emperor.

Art. 138. Their number shall not exceed ten.

Art. 139. In this number the ministers of state are not to be included, neither shall the ministers act as councillors of state, without being expressly appointed for that purpose by the emperor.

Art. 140. The same qualifications are requisite for a councillor of state, as for a senator.

Art. 141. Before taking the oath, the councillors of state may swear, in the presence of the emperor, to maintain the Catholic religion, to respect the constitution and the laws, to be faithful to the emperor, and to give him conscientious advice, having in view only the welfare of the nation.

Art. 142. The opinion of the councillors shall be heard on all important business, and on the general measures of administration; but principally on questions of war or peace, negotiations with foreign powers, and on any occasion on which the emperor may

propose to exercise any of the functions of the moderating power pointed out in Art. 100, with the exception of the 6th.

Art. 143. The councillors of state shall be held responsible for any advice they may give with the design of violating the laws or the interests of the state.

Art. 144. The imperial prince, on coming of age, shall be president of the council of state. The other princes of the imperial family cannot become members of the council, except by the appointment of the emperor. The princes are not to be included in the number specified in Art. 138.

Chapter VIII.—*Military force.*

Art. 145. Every Brazilian is required to bear arms in defence of the independence and integrity of the empire, and to protect it against its enemies, foreign and domestic.

Art. 146. The general assembly not having determined on the permanent amount of the naval and military force, it shall remain at its present amount, until the above-mentioned assembly shall either increase or diminish it.

Art. 147. The military force is essentially obedient. It can never be assembled, except by command of the legitimate authority.

Art. 148. It belongs to the executive power to employ the naval and military force as may be expedient for the security of the empire.

Art. 149. Officers of the army and navy cannot be deprived of their commissions, except by the sentence of a competent tribunal.

Art. 150. A special ordinance will regulate the organization of the Brazilian army and navy, their promotions, pay and discipline.

TITLE VI.—*Of the Judicial Power.*

Chapter I.—*Of the Judges and Courts of Justice.*

Art. 151. The judicial power is independent, and shall be composed of judges and jurors, both in civil and criminal cases, in such manner as the law shall hereafter determine.

Art. 152. The jurors shall pronounce on the fact, and the judges shall apply the law.

Art. 153. The judges shall be perpetual; by which it is not to be understood that some may not be transferred to other offices and places, at the time and in the manner which the law shall determine.

Art. 154. On complaints being preferred, the emperor can suspend the judges, after giving them audience and consulting the council of state.

Art. 155. Judges cannot be displaced, except by a sentence.

Art. 156. All judges of law, and officers of justice, are responsible for the abuses of power and transgressions committed in the discharge of their duties.

Art. 157. Judges may be prosecuted for subornation, corruption, or extortion; and the action may be instituted within a year and a day, either by the person aggrieved or by any other, the forms of process established by law being observed.

Art. 158. In order to the trying of causes in the second and dernier resort, there shall be established in the provinces the tribunals necessary for public convenience.

Art. 159. In criminal cases, the examinations of the witnesses, and all the proceedings of the trial, shall be published immediately on the decision.

Art. 160. In civil causes or ap-
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tions for civil penalties, the parties may nominate arbitrators.

Art. 161. Without proof of reconciliation having been attempted, no prosecution can be commenced.

Art. 162. For this purpose there shall be justices of the peace, who shall be elected at the same time and manner as the members of the chambers. Their powers and districts shall be regulated by law.

Art. 163. Besides the court which must exist in the capital of the empire, as well as in the provinces, there will also be a court entitled the supreme tribunal of justice, at which will preside judges selected from the other courts, according to their seniority.

Art. 164. The duties of this tribunal will be—1. To permit or to refuse the revision of causes in the way determined by the law. 2. To inquire into the abuses committed by its own officers, or those of the other courts, persons connected with the diplomatic body, and the presidents of the provinces. 3. To investigate and to decide on disputes respecting the jurisdiction and competency of the provincial courts.

TITLE VII.—Of the Administration and Economy of the Provinces.

Chapter I.—Of Administration.

Art. 165. In each province there shall be a president appointed by the emperor, who will have the power of removing him, when such a measure may be deemed expedient for the welfare of the state.

Art. 166. The law will determine the attributes and authority of these presidents.

Chapter II.—Of the Councils.

Art. 167. In all the cities and

towns now existing, and in those which may hereafter be created, there shall be councils for managing the economical and municipal government of the said cities and towns.

Art. 168. The councils shall be elected and composed of the number of land-holders which the law may determine; and he who may obtain the greatest number of votes, shall be president.

Art. 169. The functions of these councils, the formation of their police, the application of their revenues, and all their useful attributes, shall be decreed by a regulating law.

Chapter III.—[This Chapter establishes the principal Financial arrangements of the empire.]

TITLE VIII.—Of the general Regulations and Guarantees of the Civil and Political Rights of Brazilian Citizens.

Art. 178. What is stated respecting the limits and respective jurisdictions of the political powers, and respecting the political and civil rights of citizens, is alone constitutional. Every thing not constitutional may be altered by ordinary legislatures, without the formalities referred to.

Art. 179. The inviolability of the civil and political rights of the Brazilian citizens, which have for their basis, liberty, and the security of persons and property, is guaranteed by the constitution of the empire in the following manner:—1. No citizen can be compelled to do, or to refrain from doing any thing, except in virtue of the law. 2. No law shall be made except for public utility. 3. Its enactments shall never be retroactive. 4. All persons may communicate their

thoughts by speech or writing, and publish them by the press, independent of censorship. Nevertheless, they must be responsible for the abuses which they may commit in the exercise of this right, in the cases, and according to the forms, which the law shall determine. 5. No one can be troubled on account of religion, so long as he respects the state, and gives no offence to public morals. 6. Every person may remain in, or depart from the empire at pleasure, the police regulations being observed, and prejudice to third parties saved. 7. The house of every citizen is an inviolable asylum: by night, it cannot be entered, except with the owner's consent, or to save it from fire or inundation: by day, its entrance can be sanctioned only in the cases, and according to the manner, which the law shall determine. 8. No person not indicted can be arrested, except in the cases declared by the law; and in those cases, within 24 hours, in cities or towns near the judge's residence, and within a reasonable period in places more remote—the judge shall, by a note signed by himself, make known to the prisoner the cause of his arrest, the names of his accusers, and of the witnesses against him. 9. Even after indictment no person already arrested shall be detained in prison, if he offer proper bail, in the cases in which bail is admitted by law; and, in general, in offences to which no greater penalty is attached than six months' imprisonment, or banishment from the district, the accused may be set at liberty on his own recognizance. 10. With the exception of those taken in *flagrante delicto*, no person can be imprisoned without a written order from a lawful

authority. If the order prove to be arbitrary, the judge, who grants it, shall be punished in the manner the law may direct. 11. No one shall be sentenced except by the competent authority, and in virtue of an anterior law. 12. The independence of the judicial power shall be maintained. No authority can assume jurisdiction over pending causes, stay them, or revive actions. 13. The law shall be equal to all, whether to protect or to punish, and shall reward every one according to his deserts. 14. Every citizen is admissible to public offices, civil, political, or military, without distinction, except as respects his talents and virtues. 15. No one shall be exempt from contributing to the expenses of the state in proportion to his means. 16. All privileges, not essentially connected with offices of public utility, are abolished. 17. With the exception of the causes, which, from their nature, belong to particular jurisdictions in conformity with the law, there shall be no privileged court, nor special commissions, either in civil or criminal causes. 18. A civil and criminal code, founded on the solid basis of justice and equity, shall be drawn up as soon as possible. 19. From this time henceforth are for ever abolished, whipping, the torture, branding, and all the more cruel punishments. 20. No punishment shall extend beyond the person of the delinquent. Wherefore in no case shall property be confiscated, or infamy be transmitted to any of the relatives of the criminal. 21. The gaol shall be secure, clean, and well regulated, having divisions for the separation of the prisoners according to their circumstances, and the nature of their crimes. 22. The right of property

is guaranteed in its fullest extent. If the public good, legally proved, require the use or the loan of property, the owner shall be previously indemnified for the value thereof. 23. The public debt is in like manner fully guaranteed. 24. No kind of labour, cultivation, industry, or commerce, can be prohibited, if it be not opposed to public morals, or to the safety and health of the citizens. 25. All professional corporations are abolished. 26. Inventors shall have secured to them the property of their discoveries or productions. 27. The secrecy of letters is inviolable. The administration of the post office is made rigorously responsible for every infraction of this article. 28. Rewards conferred for services done to the state, whether civil or military, remain guaranteed. 29. Public officers are responsible for abuses and omissions in the exercise of their functions, and for not exacting an effective responsibility from their subalterns. 30. Every citizen may present in writing to the legislative body and to the executive, remonstrances, complaints, or petitions, and may expose any infraction of the constitution, requiring from the competent authority the effective responsibility of the infractors. 31. The constitution also guarantees public suc-

(Signed)

cours. 32. Primary and gratuitous instruction to all citizens. 33. Colleges and universities, wherein shall be taught the elements of the sciences, literature, and the arts. 34. The constitutional authorities cannot suspend the constitution, in what respects the rights of individuals, except in the cases and circumstances specified in the next section. 35. In cases of rebellion or of hostile invasion, and the safety of the state requiring that some of the forms which guarantee personal liberty should be dispensed with for a certain time, the same may be done by a special act of the legislature. If, however, the legislature should not at this time be assembled, the government may, the danger of the country being imminent, exercise this precaution as a provisional and indispensable measure, to be immediately suspended when the necessity which caused it ceases; in either case, there is to be presented to the assembly, on its meeting, a report of all the imprisonments and grounds of arrest and other precautionary measures which may have been taken. Whatever authorities may have ordered these measures, shall be held responsible for the abuses which may have taken place.

JOAO LEVERIANO MACIEL DA COSTA.
LUIZ JOSE' DE CARVALHO E MELLO.
CLEMENTE FERREIRA FRANÇA.
MARIANO JOSE' PEREIRA DA FONSECA.
JOAO GOMES DA SILVEIRA EMDONÇA.
FRANÇISCO VILLELA BARBOZA.
BARAO DE ST. ARMAO.
ANTONIO LUIS. AERCEIRA DA CUNHA.
MANOEL JACINTO NOGUEIRA GAMA.
JOSE' JOAQUIM CARNEIRO DE CAMPOS.

The MESSAGE of the PRESIDENT of the UNITED STATES to the CONGRESS.

Fellow Citizens of the Senate, and House of Representatives,—

Many important subjects will claim your attention during the present session, of which I shall endeavour to give, in aid of your deliberations, a just idea in this communication. I undertake this duty with diffidence, from the vast extent of the interests on which I have to treat, and of their great importance to every portion of our Union. I enter on it with zeal, from a thorough conviction that there never was a period, since the establishment of our revolution, when, regarding the condition of the civilized world, and its bearing on us, there was greater necessity for devotion in the public servants to their respective duties, or for virtue, patriotism, and union, in our constituents.

Meeting in you a new Congress, I deem it proper to present this view of public affairs in greater detail than might otherwise be necessary. I do it, however, with peculiar satisfaction, from a knowledge that, in this respect, I shall comply more fully with the sound principles of our government. The people being with us exclusively the sovereign, it is indispensable that full information be laid before them on all important subjects, to enable them to exercise that high power with complete effect. If kept in the dark, they must be incompetent to it. We are all liable to error, and those who are engaged in the management of public affairs, are more subject to excitement, and to be led astray by their particular interests, and passions, than the great body of our constituents, who, living at home, in the

pursuit of their ordinary avocations, are calm but deeply interested spectators of events, and of the conduct of those who are parties to them. To the people, every department of the government, and every individual in each are responsible; and the more full their information, the better they can judge of the wisdom of the policy pursued, and of the conduct of each in regard to it. From their dispassionate judgment, much aid may always be obtained; while their approbation will form the greatest incentive, and most gratifying reward for virtuous actions; and the dread of their censure the best security against the abuse of their confidence. Their interests, in all vital questions, are the same; and the bond by sentiment, as well as by interest, will be proportionably strengthened as they are better informed of the real state of public affairs, especially in difficult conjunctures. It is by such knowledge that local prejudices and jealousies are surmounted, and that a national policy, extending its fostering care and protection to all the great interests of our union, is formed and steadily adhered to.

A precise knowledge of our relations with foreign powers, as respects our negotiations and transactions with each, is thought to be particularly necessary. Equally necessary is it, that we should form a just estimate of our resources, revenue, and progress in every kind of improvement connected with the national prosperity and public defence. It is by rendering justice to other nations, that we may expect it from them. It

is by our ability to resent injuries, and redress wrongs, that we may avoid them.

The commissioners under the fifth article of the treaty of Ghent, having disagreed in their opinions respecting that portion of the boundary between the territories of the United States and of Great Britain, the establishment of which had been submitted to them, have made their respective reports, in compliance with that article, that the same might be referred to the decision of a friendly Power. It being manifest, however, that it would be difficult, if not impossible, for any Power to perform that office, without great delay and much inconvenience to itself, a proposal has been made by this government, and acceded to by that of Great Britain, to endeavour to establish that boundary by amicable negotiation. It appearing, from long experience, that no satisfactory arrangement could be formed of the commercial intercourse between the United States and the British colonies in this hemisphere, by legislative acts, while each party pursued its own course, without agreement or concert with the other, a proposal has been made to the British government to regulate this commerce by treaty, as it has been to arrange, in like manner, the just claims of the citizens of the United States inhabiting the states and territories bordering on the lakes and rivers which empty into the St. Lawrence, to the navigation of that river to the ocean. For these and other objects of high importance to the interests of both parties, a negotiation has been opened with the British government, which, it is hoped, will have a satisfactory result.

The commissioners, under the sixth and seventh articles of the treaty of Ghent, having successfully closed their labours in relation to the sixth, have proceeded to the discharge of those relating to the seventh. Their progress in the extensive survey required for the performance of their duties justifies the presumption that it will be completed in the ensuing year.

The negotiation which has been long depending with the French government on several important subjects, and particularly for a just indemnity for losses sustained in the late wars by the citizens of the United States, under unjustifiable seizures and confiscations of their property, has not, as yet, had the desired effect. As this claim rests on the same principle with others which have been admitted by the French government, it is not perceived on what just ground it can be rejected. A minister will be immediately appointed to proceed to France, and resume the negotiation on this and other subjects which may arise between the two nations.

At the proposal of the Russian Imperial government made through the minister of the emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg, to arrange, by amicable negotiation, the respective rights and interests of the two nations on the north west coast of this continent. A similar proposal had been made by his Imperial Majesty to the government of Great Britain, which has likewise been acceded to. The government of the United States has been desirous, by this friendly proceeding, of manifesting the great

value which they have invariably attached to the friendship of the Emperor, and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonisation by any European Powers.

Since the close of the last session of Congress, the commissioners and arbitrators for ascertaining and determining the amount of indemnification which may be due to citizens of the United States under the decision of his Imperial Majesty the Emperor of Russia, in conformity to the convention concluded at St. Petersburg on the 12th of July, 1822, have assembled in this city, and organised themselves as a board for the performance of the duties assigned to them by that treaty. The commission constituted under the eleventh article of the treaty of the 22nd of February, 1819, between the United States and Spain, is also in session here; and as the term of three years, limited by the treaty for the execution of the trust, will expire before the period of the next regular meeting of Congress, the attention of the legislature will be drawn to the measures which may be necessary to accomplish the object for which the commission was instituted.

In compliance with a resolution of the House of representatives,

adopted at their last session, instructions have been given to all the ministers of the United States accredited to the powers of Europe and America, to propose the proscription of the African slave trade, by classing it under the denomination, and inflicting on its perpetrators the punishment, of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to, from a firm belief that it is the most effectual expedient that can be adopted for the purpose.

At the commencement of the recent war between France and Spain, it was declared by the French government that it would grant no commissions to privateers, and that neither the commerce of Spain herself, nor of neutral nations, should be molested by the naval force of France, except in the breach of a lawful blockade. This declaration, which appears to have been faithfully carried into effect, concurring with principles proclaimed and cherished by the United States, from the first establishment of their independence, suggested the hope that the time had arrived when the proposal for adopting it as a permanent and invariable rule in all future maritime wars might meet the favourable consideration of the great European powers. Instructions have accordingly been given to our ministers with France, Russia, and Great Britain, to make those proposals to their respective governments; and when the friends of humanity reflect on the essential amelioration to the condition of the human race which would result from the abolition of private war on the sea, and on the

great facility by which it might be accomplished, requiring only the consent of a few sovereigns, an earnest hope is indulged that these overtures will meet with an attention, animated by the spirit in which they were made, and that they will ultimately be successful.

The ministers who were appointed to the republics of Columbia and Buenos-Ayres, during the last session of congress, proceeded, shortly afterwards, to their destinations. Of their arrival there, official intelligence has not yet been received. The minister appointed to the Republic of Chili will sail in a few days. An early appointment will also be made to Mexico. A minister has been received from Columbia, and the other Governments have been informed that ministers, or diplomatic agents of inferior grade, would be received from each, according as they might prefer the one or the other.

The minister appointed to Spain proceeded, soon after his appointment, to Cadiz, the residence of the Sovereign to whom he was accredited. In approaching that port, the frigate which conveyed him was warned off by the Commander of the French squadron, by which it was blockaded, and not permitted to enter, although apprised by the captain of the frigate of the public character of the person whom he had on board, the landing of whom was the sole object of his proposed entry. This act, being considered an infringement of the rights of ambassadors and of nations, will form a just cause of complaint to the government of France, against the officer by whom it was committed.

The actual condition of the public finances more than realizes the

favourable anticipations that were entertained of it at the opening of the last session of Congress. On the 1st of January, there was a balance in the Treasury of 4,287,427 dollars and 55 cents. From that time to the 30th of September the receipts amounted to upwards of 16,100,000 dollars, and the expenditures to 11,400,000 dollars. During the fourth quarter of the year, it is estimated that the receipts will, at least, equal the expenditures; and that there will remain in the Treasury, on the 1st day of January next, a surplus of nearly 9,000,000 of dollars.

On the 1st of January, 1823, a large amount of the war debt, and a part of the revolutionary debt, become redeemable. Additional portions of the former will continue to become redeemable annually, until the year 1835. It is believed, however, that if the United States remain at peace, the whole of that debt may be redeemed by the ordinary revenue of those years during that period, under the provision of the act of March 3, 1817, creating the sinking fund, and in that case the only part of the debt that will remain after the year 1835 will be seven millions of five per cent stock subscribed to the bank of the United States, and the three per cent revolutionary debt, amounting to 13,296,099 dollars 6 cents both of which are redeemable at the pleasure of the government.

The state of the army, in its organization and discipline, has been gradually improving for several years, and has now attained a high degree of perfection. The military disbursements have been regularly made, and the accounts regularly and promptly rendered for settlement. The supplies of various descriptions have been of good

quality and regularly issued at all of the posts. A system of economy and accountability has been introduced into every branch of the service, which admits of little additional improvement. This desirable state has been attained by the act, re-organising the staff of the army, passed on the 14th of April, 1818.

The monies appropriated for fortifications have been regularly and economically applied, and all the works advanced as rapidly as the amount appropriated would admit. Three important works will be completed in the course of this year—that is, Fort Washington, Fort Delaware, and the Fort at the Rigolets, in Louisiana.

The board of engineers, and the topographical corps, have been in constant and active service in surveying the coast, and projecting the works necessary for its defence.

The military academy has attained a degree of perfection in its discipline and instruction equal, as is believed, to any institution of its kind in any country.

The money appropriated for the use of the Ordnance department has been regularly and economically applied. The fabrication of arms at the national armories, and by contract with the department, has been gradually improving in quality and cheapness. It is believed that their quality is now such as to admit of but little improvement.

The completion of the fortifications renders it necessary that there should be a suitable appropriation for the purpose of fabricating the cannon and carriages necessary for those works.

Under the appropriation of 5,000 dollars for exploring the western waters for the location of a

site for a western armoury, a commission was constituted, consisting of colonel M'Ree, colonel Lee, and captain Talcott, who have been engaged in exploring the country. They have not yet reported the result of their labours, but it is believed that they will be prepared to do it at an early part of the session of congress.

During the month of June last, general Ashley and his party, who were trading under a licence from the general government, were attacked by the Ricarees while peaceably trading with the Indians, at their request. Several of the party were killed and wounded, and their property taken or destroyed.

Colonel Leavenworth, who commanded Fort Atkinson at the Council Bluffs, the most western post, apprehending that the hostile spirit of the Ricarees would extend to other tribes in that quarter, and that thereby the lives of the traders on the Missouri, and the peace of the frontier would be endangered, took immediate measures to check the evil.

With a detachment of the regiment stationed at the Bluffs, he successfully attacked the Ricaree village, and it is hoped that such an impression has been made on them, as well as on other tribes on the Missouri, as will prevent a recurrence of future hostility.

The report of the secretary of war, which is herewith transmitted, will exhibit in greater detail the condition of the department in its various branches, and the progress which has been made in its administration during the three first quarters of the year.

I transmit a return of the militia of the several states, according to the last reports which have been

made by the proper officers in each, to the department of war. By reference to this return, it will be seen that it is not complete, although great exertions have been made to make it so. As the defence, and even the liberties of the country must depend, in times of imminent danger, on the militia, it is of the highest importance that it be well organised, armed, and disciplined, throughout the union. The report of the secretary of war shows the progress made during the three first quarters of the present year, by the application of the fund appropriated for arming the militia. Much difficulty is found in distributing the arms according to the act of congress providing for it, from the failure of the proper departments in many of the States to make regular returns. The act of the 12th of May, 1820, provides that the system of tactics and regulations of the various corps in the regular army shall be extended to the militia. This act has been very imperfectly executed, from the want of uniformity in the organization of the militia, proceeding from the defects of the system itself, and especially, in its application to that main arm of the public defence. It is thought that this important subject, in all its branches, merits the attention of Congress.

The report of the secretary of the Navy, which is now communicated, furnishes an account of the administration of that department for the three first quarters of the present year, with the progress made in augmenting the navy, and the manner, in which the vessels in commission have been employed.

The usual force has been maintained in the Mediterranean Sea, the Pacific Ocean, and along the

Atlantic coast, and has afforded the necessary protection to our commerce in those seas.

In the West Indies and the Gulf of Mexico, our naval force has been augmented by the addition of several small vessels, provided for by the "act authorizing an additional naval force for the suppression of piracy," passed by Congress at their last session. That armament has been eminently successful in the accomplishment of its object. The piracies by which our commerce in the neighbourhood of the island of Cuba had been afflicted have been repressed, and the confidence of our merchants, in a great measure, restored.

The patriotic zeal and enterprise of commodore Porter, to whom the command of the expedition was confided, has been fully seconded by the officers and men under his command. And, in reflecting with high satisfaction on the honourable manner in which they have sustained the reputation of their country and its navy, the sentiment is alloyed only by a concern that, in the fulfilment of that arduous service, the diseases incident to the season and to the climate in which it was discharged, have deprived the nation of many useful lives, and among them of several officers of great promise.

In the month of August a very malignant fever made its appearance at Thompson's Island, which threatened the destruction of our station there. Many perished, and the commanding officer was severely attacked. Uncertain as to his fate, and knowing that most of the medical officers had been rendered incapable of discharging their duties, it was thought expedient to send to that post an officer of rank and ex-

perience, with several skilful surgeons, to ascertain the origin of the fever, and the probability of its recurrence there in future seasons; to furnish every assistance to those who were suffering, and, if practicable to avoid the necessity of abandoning so important a station. Commodore Rogers, with a promptitude which did him honour, cheerfully accepted that trust, and has discharged it in the manner anticipated from his skill and patriotism. Before his arrival, commodore Porter, with the greater part of the squadron, had removed from the island and returned to the United States, in consequence of the prevailing sickness. Much useful information has however, been obtained, as to the state of the island, and great relief afforded to those who had been necessarily left there.

Although our expedition, co-operating with an invigorated administration of the government of the island of Cuba, and with the corresponding active exertions of a British naval force in the same seas, have almost entirely destroyed the unlicensed piracies from that island, the success of our exertions has not been equally effectual to suppress the same crime, under other pretences and colours, in the neighbouring island of Porto Rico. They have been committed there under the abusive issue of Spanish commissions. At an early period of the present year, remonstrances were made to the governor of that island, by an agent who was sent for the purpose, against those outrages on the peaceful commerce of the United States, of which many had occurred. That officer, professing his own want of authority to make satisfaction for our just complaints, answered only

by a reference of them to the government of Spain. The minister of the United States to that court was specially instructed to urge the necessity of the immediate and effectual interposition of that government, directing restitution and indemnity for wrongs already committed, and interdicting the repetition of them. The minister, as has been seen, was debarred access to the Spanish government, and, in the mean time, several new cases of flagrant outrage have occurred, and citizens of the United States in the island of Porto Rico have suffered, and others been threatened with assassination, for asserting their unquestionable rights, even before the lawful tribunals of the country.

The usual orders have been given to all our public ships to seize American vessels engaged in the slave-trade, and bring them in for adjudication; and I have the gratification to state, that not one so employed has been discovered; and there is good reason to believe, that our flag is now seldom, if at all, disgraced by that traffic.

It is a source of great satisfaction, that we are always enabled to recur to the conduct of our navy with pride and commendation. As a means of national defence, it enjoys the public confidence, and is steadily assuming additional importance. It is submitted whether a more efficient and equally economical organization of it might not, in several respects, be effected. It is supposed that higher grades than now exist by law would be useful. They would afford well-merited rewards to those who have long and faithfully served their country; present the best incentives to good conduct, and the best means of ensuring a proper dis-

190* ANNUAL REGISTER, 1823.

cipline; destroy the inequality in that respect between the military and naval services, and relieve our officers from many inconveniences and mortifications, which occur when our vessels meet those of other nations—ours being the only service in which such grades do not exist.

A report of the postmaster-general, which accompanies this communication, will show the present state of the Post-office department, and its general operations for some years past.

There is established by law 88, 600 miles of post roads, on which the mail is now transported 85,700 miles, and contracts have been made, for its transportation on all the established routes, with one or two exceptions. There are 5,240 post-offices in the Union, and as many postmasters. The gross amount of postage which accrued from the 1st of July, 1822, to the 1st of July, 1823, was 1,114,345 dollars and 12 cents. During the same period the expenditures of the Post office department amounted to 1,169,885 dollars and 51 cents; and consisted of the following items:—Compensation to post-masters, 353,995 dollars and 98 cents; incidental expenses, 30,866 dollars and 37 cents; transportation of the mail, 784,600 dollars and 8 cents; payments into the Treasury, 423 dollars and 8 cents. On the 1st of July last, there was due to the department, from post-masters, 135,245 dollars and 28 cents; from late post-masters and contractors, 256,749 dollars and 31 cents; making a total amount of balances due to the department, of 391,994 dollars and 59 cents. These balances embrace all delinquencies of post-masters and contractors, which have taken place

since the organization of the department. There was due by the department to contractors, on the 1st day of July last, 26,548 dollars and 64 cents.

The transportation of the mail, within five years past, has been greatly extended, and the expenditures of the department proportionably increased. Although the postage which has accrued within the last three years has fallen short of the expenditures 262,821 dollars and 46 cents, it appears that collections have been made from the outstanding balances to meet the principal part of the current demands.

It is estimated that not more than 250,000 dollars of the above balances can be collected, and that a considerable part of this sum can be realized only by a resort to legal process. Some improvement in the receipts for postage is expected. A prompt attention to the collection of monies received by post-masters, it is believed, will enable the department to continue its operations without aid from the Treasury, unless the expenditure shall be increased by the establishment of new mail routes.

A revision of some parts of the Post-office law may be necessary; and it is submitted, whether it would not be proper to provide for the appointment of post-masters, where the compensation exceeds a certain amount, by nomination to the senate, as other officers of the general government are appointed.

Having communicated my views to Congress at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it should be founded, I have only to add, that those views remain unchanged,

and that the present state of those countries with which we have the most immediate political relations, and greatest commercial intercourse, tends to confirm them. Under this impression, I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of the country.

The actual state of the public accounts furnishes additional evidence of the efficiency of the present system of accountability, in relation to the public expenditure. Of the monies drawn from the Treasury since the 4th of March, 1817, the sum remaining unaccounted for on the 30th of September last, is more than a million and a half of dollars less than on the 30th of September preceding; and during the same period a reduction of nearly a million of dollars has been made in the amount of the unsettled accounts for monies advanced previously to the 4th of March, 1817. It will be obvious that in proportion as the mass of accounts of the latter description is diminished by settlement, the difficulty of settling the residue is increased, from the consideration that in many instances it can be obtained only by legal process. For more precise details on this subject, I refer to a report from the first comptroller of the Treasury.

The sum which was appropriated at the last session, for the repair of the Cumberland-road, has been applied with good effect to that object. A final report has not yet been received from the agent who was appointed to superintend it. As soon as it is received, it shall be communicated to Congress.

Many patriotic and enlightened citizens, who have made the subject an object of particular investigation, have suggested an improvement of still greater importance. They are of opinion that the waters of the Chesapeake and Ohio may be connected together, by one continued canal, and at an expense far short of the value and importance of the object to be obtained. If this could be accomplished, it is impossible to calculate the beneficial consequences which would result from it. A great portion of the produce of the very fertile country through which it would pass would find a market through that channel. Troops might be moved with great facility in war, with cannon, and every kind of munition, and in either direction. Connecting the Atlantic with the western country, in a line passing through the seat of the national government, it would contribute essentially to strengthen the bond of union itself. Believing, as I do, that Congress possess the right to appropriate money for such a national object (the jurisdiction remaining to the states through which the canal would pass), I submit it to your consideration, whether it may not be advisable to authorize, by an adequate appropriation, the employment of a suitable number of the officers of the corps of engineers, to examine the unexplored ground during the next season, and to report their opinion thereon. It will likewise be proper to extend their examination to the several routes through which the waters of the Ohio may be connected, by canals, with those of Lake Erie.

As the Cumberland road will require annual repairs, and Congress have not thought it expedi-

ent to recommend to the States an amendment, to the constitution for the purpose of investing in the United States a power to adopt and execute a system of internal improvement, it is also submitted to your consideration, whether it may not be expedient to authorize the executive to enter into an arrangement with the several states through which the road passes, to establish tolls each within its limits, for the purpose of defraying the expense of future repairs, and of providing also, by suitable penalties, for its protection against future injuries.

The act of Congress of the 7th of May, 1822, appropriated the sum of 22,700 dollars for the purpose of erecting two piers as a shelter for vessels from ice, near Cape Henlopen, Delaware Bay. To effect the object of the act, the officers of the board of engineers, with commodore Bainbridge, were directed to prepare plans and estimates of piers sufficient to answer the purpose intended by the act. It appears by their report, which accompanies the documents from the war department, that the appropriation is not adequate to the purpose intended; and as the piers would be of great service both to the navigation of the Delaware Bay, and the protection of vessels on the adjacent parts of the coasts, I submit for the consideration of the Congress, whether additional and sufficient appropriations should not be made.

The board of engineers were also directed to examine and survey the entrance of the harbour of the port of Presquale, in Pennsylvania, in order to make an estimate of the expense of removing the obstructions to the entrance, with a plan of the best mode of

effecting the same under the appropriation for that purpose, by act of Congress, passed 3d of March last. The Report of the Board accompanied the papers from the War Department, and is submitted for the consideration of Congress.

A strong hope has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favour, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers, which might, ere this, have overwhelmed any other people. The ordinary calculations of interest, and of acquisition, with a view to aggrandizement, which mingle so much in the transactions of nations, seem to have had no effect in regard to them. From the facts which have come to our knowledge, there is good cause to believe that their enemy has lost for ever all dominion over them; that Greece will become again an independent nation. That she may obtain that rank is the object of our most ardent wishes.

It was stated at the commencement of the last session, that the great effort was then making in Spain and Portugal, to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with

which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favour of the liberty and happiness of their fellow men, on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make preparation for our defence. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different, in this respect, from that of America. This difference proceeds from that which exists in their respective governments. And to the defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candour, and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered, and shall not interfere. But, with the governments who have declared their independence, and maintained it, and whose independence we have, on great

Vol. LXV.

consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition; and to this we have adhered, and shall continue to adhere, provided no change shall occur, which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States, indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced, than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of Spain. To what extent such interpositions may be carried on the same principle, is a question in which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy, in regard to Europe, which was adopted at an early age of the wars which have so long agitated that quarter of the globe, nevertheless remains the same; which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and

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manly policy; meeting, in all instances, the just claims of every power — submitting to injuries from none. But, in regard to those continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent, without endangering our peace and happiness; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain, and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

If we compare the present condition of our union with its actual state at the close of our revolution, the history of the world furnishes no example of a progress in improvement in all the important circumstances which constitute the happiness of a nation, which bears any resemblance to it. At the first epoch, our population did not exceed 3,000,000. By the last census it amounted to about 10,000,000, and, what is more extraordinary, it is almost altogether native—for the emigration from other countries has been inconsiderable. At the first epoch, half the territory within our acknowledged limits was uninhabited and a wilderness. Since then, new territory has been acquired, of vast extent, comprising within it many

rivers, particularly the Mississippi, the navigation of which to the ocean was of the highest importance to the original states. Over this territory our population has expanded in every direction, and new states have been established, almost equal in number to those which formed the first bond of our union. This expansion of our population and accession of new states to our union, have had the happiest effect on all its highest interests. That it has eminently augmented our resources, and added to our strength and respectability as a power, is admitted by all. But it is not in these circumstances only that this happy effect is felt. It is manifest that, by enlarging the basis of our system, and increasing the number of states, the system itself has been greatly strengthened in both its branches. Consolidation and disunion have thereby been rendered equally impracticable. Each government, confiding in its own strength, has less to apprehend from the other, and, in consequence, each enjoying a greater freedom of action, is rendered more efficient for all the purposes for which it was instituted. It is unnecessary to treat here of the vast improvement made in the system itself by the adoption of this constitution, and of its happy effect in elevating the character, and in protecting the rights of the nation, as well as of individuals. To what, then, do we owe these blessings? It is known to all, that we derive them from the excellence of our institutions. Ought we not, then, to adopt every measure which may be necessary to perpetuate them?

JAMES MONROE

Washington, Dec. 2, 1823.

PUBLIC DOCUMENTS. 195*

TABLE of the FINANCES of the UNITED STATES.

The Public debt of the United States.

The funded debt which was contracted before the year 1812, and which was unredeemed on the 1st day of October, 1822, amounted to	Dollars 17,189,852	60
And that which was contracted subsequently to the 1st of January, 1812, and was unredeemed on the 1st of October, 1822, amounted to	75,852,846	58
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Making the total amount of funded debt unredeemed on the 1st of October, 1822.....	93,042,701	18
In the fourth quarter of that year there was paid the sum of viz.	2,265,678	82
Reimbursement of 6 per cent. deferred stock	265,678	82
Redemption of 6 per cent. stock of 1820	2,000,000	00
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Reducing the funded debt, on the 1st of January, 1823, to	90,777,023	86
From that day to the 1st of October last, there was added to the debt—		
In 3 per cent. stock	132	89
Treasury note 6 per cent. stock	1,561	88
Treasury note 7 per cent. stock	135	00
	<hr/>	1,829 86
Making an aggregate of	90,778,857	12
During the same period there was paid, in reimbursement of the deferred 6 per cent. stock	827,022	88
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Reducing the funded debt on the 1st of October, 1823, to	90,451,834	24
Since that day there has been added, in Treasury note 6 per cent. stock	716	75
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Making an aggregate of	90,452,550	99
It is estimated that the reimbursement of deferred stock in the fourth quarter of the present year will amount to	274,588	85
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Which will reduce the funded debt, unredeemed on the 1st of January, 1824, to	90,177,962	14
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The amount of Treasury notes outstanding on the 1st of October, 1823. is estimated at	26,122	00
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And the amount of Mississippi stock unredeemed on that day at	21,258	87

196* ANNUAL REGISTER, 1823.

PRELIMINARY CONVENTION *agreed upon between the Government of BUENOS AYRES and the COMMISSIONERS of his CATHOLIC MAJESTY.*

The government of Buenos-Ayres having recognized, and caused to be recognized, in virtue of credentials presented and legalized in competent form, Senores Don Antonio Luis Pereyra and Don Luis de la Robla, as commissioners from the government of his Catholic majesty; and it being proposed to the said Senores, by the minister for foreign affairs of the said state of Buenos-Ayres, to agree to a convention preliminary to the definitive treaty of peace and amity, which is to be concluded between the government of his Catholic majesty, and the government of the united provinces, upon the bases established in the law of the 19th of June of the present year; and they, after considering, and reciprocally discussing, whatever they held to be calculated to conduce to the better adjustment of the relations of the said states, have, in the exercise of the character with which they are invested, and of the powers conferred on them, agreed to the said preliminary convention in the terms expressed in the following articles:—

Article 1. After sixty days, reckoning from the ratification of the present convention, by the governments to which it applies, all hostilities, by sea and by land, shall cease between the said governments and the Spanish nation.

2. In consequence, the general of the forces of his Catholic majesty at present in Peru, will continue in the positions which he shall occupy at the time of the convention being notified to him, saving the particular stipulations, which, for reciprocal convenience,

the adjacent governments may propose or accept, for the purpose of improving their respective lines of occupation during the suspension of hostilities.

3. The relations of commerce, with the sole exception of articles contraband of war, shall, during the period of the said suspension, be fully re-established between the provinces of the Spanish monarchy, those occupied by the armies of his Catholic majesty in Peru, and the states which ratify this convention.

4. In consequence, the flags of the respective states shall be reciprocally respected and admitted into each other's ports.

5. The relations of maritime commerce between the Spanish nation and the states which may ratify this convention, shall be regulated by a special convention, the framing of which shall be entered upon in pursuance of the present convention.

6. Neither the authorities administering the provinces of Peru in the name of his Catholic majesty, nor the adjacent states, shall impose on the trade of each other higher duties than those which may exist at the period of the conclusion of the present convention.

7. The suspension of hostilities shall subsist for the space of 18 months.

8. Within the said period the government of the state of Buenos-Ayres will negotiate, through the medium of a plenipotentiary of the united provinces of the Río de la Plata, and conformably to the law of the 19th of June, the conclusion of a definitive treaty of peace and amity between his Catholic

majesty and the states of the American continent to which the said law refers.

9. In case of the renewal of hostilities, such renewal shall not take place, nor shall the relations of commerce be interrupted, until four months after the intimation of hostilities.

10. The law existing in the Spanish monarchy, as well as in the state of Buenos-Ayres, respecting the inviolability of property, even though it may be an enemy's property, shall have full force, in the case of the operation of the preceding article, within the territories of the governments which may ratify this convention, and reciprocally.

11. As soon as the government of Buenos-Ayres shall be authorized by the House of Representatives to ratify this convention, it will negotiate the accession thereto of the governments of Chili, Peru, and the other united provinces of the Rio de la Plata; and the commissioners of his Catholic majesty will, at the same time, take every means for giving to this accession, on the part of the authorities of his Catholic majesty, the most prompt and complete effect.

12. For the due effect and validity of this convention, the necessary copies shall be signed and sealed on the part of the commissioners of his Catholic majesty with their seal, and on the part of the government of Buenos-Ayres by the seal of the department for foreign affairs.

(Signed) ANTONIO LUIS PEREYRA,

LUIS DE LA ROBLA,

Commissioners of his Catholic majesty.

BERNARDIN RIVADAVIA,

Minister for foreign affairs.

Buenos-Ayres, July 4.

LAW PROJECT.—*Single Article.*

The government is authorized to ratify the preliminary convention concluded on the 4th of the present month between the government of the state of Buenos-Ayres and the commissioners of his Catholic majesty resident there; and also to negotiate the accession thereto of the states and governments mentioned in article 11 of the said convention.

RIVADAVIA.

LAW PROJECT.—*Single Article.*

The war which the king, Louis 18th, is preparing to make on the Spanish nation being directly and principally opposed to the principle recognized in article 1 of the law of the 10th of May, 1822, in case that aggression should be realized, the government is authorized to negotiate,—after the conclusion of the definitive treaty of peace and amity with his Catholic majesty, on the bases of the law of the 19th of June, to which treaty the convention of the 4th of July current is preliminary,—that there shall be voted, by the American states recognized independent, in virtue of the said definitive treaty, for maintaining the independence of Spain under the representative system, the same sum of 20 millions as that which in the month of March last was supplied for destroying it by the chambers of Paris.

RIVADAVIA.

Buenos-Ayres, July 4.

MESSAGE of the EXECUTIVE POWER of COLOMBIA, on the Opening of the first Constitutional Congress of the Republic.

Citizens of the senate and of the chamber of representatives.—The solemn installation of the second congress of Colombia is one of the most happy events of my political life. Its meeting in the manner prescribed by our fundamental laws, is both an unanswerable testimony of the acquiescence of the government in the declared will of the nation, and a motive for consolation to the republic and of shame to its enemies. This most august body uniting the most enlightened understandings, the purest patriotism, and the most extensive experience, its deliberations cannot fail to be the fruits of the most ardent desire for the public prosperity. I am convinced that wise laws, salutary reforms, and measures which, by disseminating universal happiness and good will, shall consolidate the work of 12 years of sacrifices, will result from your deliberations, and be the abundant fruit which the people will receive with joy and gladness. However great were the exertions and labours of the last general congress, and however laudable the desire by which it was animated, there is a void in the republic which you are called upon to make good. The constituent congress could scarcely do more than trace out the line by which succeeding legislatures could proceed with security. The executive government will, by means of its respective organs, lay before the congress all the information and materials which time and circumstances have permitted it to collect; and you, gentlemen, selecting the best and most proper for the happiness of the nation, will find a

vast field open to your deliberations and to the fulfilment of your duties.

The government of Colombia has not omitted any steps that could bring our contest with Spain to an end, in a manner honourable to both parties, and with reciprocal advantages. The government has not been guided by any apprehension of the uncertain issue of the war, but by the desire of saving humanity from the useless sacrifice of fresh victims, and establishing peace between the two nations.

The government availed itself of the first favourable moment to send a commission to Madrid, which, being assisted by the progress of our cause, and the change of principles in the political system of Spain, might obtain by reason, that which we were otherwise determined to attain by arms. Our agents were not heard; imputations, absolutely false, were made against them; they were despatched from the Court upon dishonourable pretences, and the manner in which we were accredited was such, that conciliation, on the principle of independence, was impossible. The government of the republic was not surprised at this result, for it never had reason to entertain the idea, that the government of his Catholic majesty was disposed to renounce the mad desire of keeping us in subjection; but it was necessary to accede to the wishes of the Spanish commissioners, and to give to the world a fresh proof that our perseverance in the present contest did not proceed from a spirit of revenge or hatred, but from the most

sacred duty of a people, aspiring to the improvement of their condition. The subsequent conduct of his Catholic majesty's government, in reinforcing the armament that assaults our territories, and that of the general of the expeditionary army, in declaring the treaty of Truxillo void, thus deprecating the rights of nations, has finally proved to us, that our enemies will henceforth tenaciously carry on their system of exterminating warfare against the independence of the Republic. The executive government is firm in its determination not to listen to, nor admit of any negotiation, on the part of Spain, which has not for its basis the explicit recognition of our national sovereignty.

So well convinced was the government of Colombia of the decision of the government of Madrid to prolong the war against America, that we hastened to establish solid relations with the independent states of the New World, fixing a secure basis on which, either the continuance of the contest, or a negotiation with the neutral powers and Spain, should be conducted. The government of Colombia has been the first to lay the foundation of an American confederation, which, uniting the political interests of the vast territory that has separated itself from the mother country, guaranteeing and respecting each other respectively, shall reciprocally communicate a physical and moral power, capable of arresting and annihilating all the undertakings of the government, our enemy. The treaties which have as yet been made to that effect, will be laid before the Congress, and I take the liberty of offering to it, in anticipation, my congratulations on the satisfaction

with which it will perceive the solidity and stability which we have given to the independence of the New World. Great changes have taken place in the Mexican empire since the Convention made at Cordova, between the chief of the Independents, and the Spanish general Odonogu. Don Augustin Iturbide has been placed on the Imperial Throne; instead of the family called to it by the plan of Iguala, and the treaty of Cordova; in consequence of which the Cortes of Madrid have declared the latter to be annulled. The government of Colombia is not accurately acquainted with the nature and particulars of the events which have placed the imperial Crown on the head of Iturbide, and has taken such measures to procure such information as it deems indispensable to open and cement the relations between the republic and the empire, on the principle of not interfering with its internal arrangements, and to recognize the decided will of the Mexican nation, so long as it adheres to the determination of remaining independent of Spain.

The government of the United States has given a sublime example of justice, in solemnly recognizing the independence and sovereignty of the States of South America: that nation, the cradle of the liberty of the world, has perceived with satisfaction that this public act was due to policy and sound reason; and the illustrious members of its government have, by such conduct, added fresh lustre to the glory of a free people, and to its own. There is now residing in this capital a minister from that government, by whose means we are informed of the friendly sentiments by which it is animated to-

wards us, and of its disposition to commence and to establish relations with the republic. The executive power has hastened to manifest the same feelings on its part by means of a minister plenipotentiary, and to prepare the preliminaries which must precede the negotiations.

With the European powers we have succeeded in entering upon some diplomatic relations, which are at present reduced to the obtaining of an explicit recognition of our national sovereignty. Our cause appears to have attained considerable popularity among some of the most powerful nations; and although their governments have not decided on making the required declaration, they have not given us any cause for complaint. Their acts relative to commerce and neutrality have arisen out of the principle of recognising us as governments, *de facto*. That of Colombia has convinced all nations, that good faith and justice are the immutable rules of our conduct, and that we make it our duty to respect the laws of all states, their rights, and those of their respective subjects. Such will always be the conduct of the government and citizens of Colombia, as the means of preserving peace and good understanding with the rest of the universe. It is satisfactory to me, that, during the course of my administration, on the establishment of a new and delicate system, no questions of difficulty have presented themselves, tending to interrupt the harmony in which we live with all nations.

His Faithful Majesty, the King of Portugal, has opened the way in Europe, to the recognition of the American governments. That of Colombia had addressed a di-

plomatic mission to the Court of Lisbon, which, among other things, was to regulate the limits of the new public adjoining the Brasil, but the unexpected death of Mr. Echeverria, and the late events in the provinces of Brazil, tending to shake off their dependence on Portugal, have frustrated our intentions. I have taken steps to arrange with the Court at Rome respecting the government of ecclesiastical affairs, in which so many difficulties have been, and are daily experienced, to the manifest detriment of the prerogatives of the supreme civil authority, and of the spiritual wants of the people. The death of Mr. Echeverria interrupted this negotiation also, but the government is already prepared to send a fresh mission to Rome. In the mean time, the Congress will be informed of the manner in which this matter is conducted, trusting that your wisdom will lay down a certain, although provisional regulation, that will remove all scruples and other difficulties.

The government has the satisfaction to announce to the Congress, that the free territory which the Republic of Colombia now embraces, is the same as that fixed by the fundamental law of the state. Three new departments have increased the number of those which recognized the law of organization of the 2nd of October: the one separated itself from the mother country by its own exertions; the other two have been liberated by the valour of the army, and the extraordinary ability and prudence of the President Liberator. Thus, in them, as in the other seven departments, the political system, adopted by the constituent Congress of Guayaquil, has been established, with general ap-

place. The people have indulged in the best hopes of prosperity on seeing their political and civil liberty secured by the fundamental law. Every Colombian has submitted his own will to that of the law: the glory of the warrior, the illumination of the philosopher, the prerogatives of the minister of the altar, the influence of merit, of reputation, and of virtue—all have humbled themselves before the constitution. But for the exception of two or three small bodies of men, who wished to live in the midst of disorder, the government might aver that no sentiments but those of union and fraternity exist in the bosom of the Colombians. The state of order and internal repose which the republic has attained, has not been disturbed either by the arrogant attempts of the enemy, by his evil suggestions, or by the frequent difficulties arising from the painful state of the public treasury, which sometimes offer opportunities for disturbance to those who, in the alteration of a system, experience changes either of fortune or in their views of ambition. The government acknowledges itself indebted for this benefit, first to the mercy of the Supreme Being, who has watched over the fate of Colombia, and next to the efficacious co-operation of all the citizens, of all the authorities, and especially, of the venerable clergy both secular and regular. On so prosperous a basis, public education has begun to spread successfully, information has been diffused by means of the press, the citizens have procured liberty to denounce the abuse of power, and the people have been inspired with a sincere love for their institutions. The propagation and progress of

literary and scientific establishments, which I anticipate from the new statutes of the Congress and the influence of the local authorities, will doubtless be the best support which our code and the administration of the government, the security of the republic and its future happiness will henceforward possess. It is a most gratifying duty for me to recommend to you, most ardently, the fate of the Colombian people, whose sacrifices have rendered the entire protection of wise and beneficent laws necessary to them. A most exterminating warfare has destroyed its population, its agriculture, and its commerce, and it is the duty of Congress to do its utmost for the revival of these sources of public and private wealth. I call the attention of Congress to agriculture, commerce, and the mines: our geographical position will afford you the ready means of placing the heroic people of Colombia in a situation to redouble and enrich itself.

Respecting the national revenue, I did not desire to disturb the pleasure the Congress must have experienced on hearing the communications I have just made to it. The public treasury is impoverished; the revenue system requires alteration, and the necessities which it is urgent to provide for are such as not to admit of delay or procrastination. The government has undergone afflicting struggles in the course of its administration, and the Congress cannot but approve the manner in which it has been able to overcome the struggle between urgent public necessities, and the calamities with which the fortunes of the citizens have been visited. The Congress of Cucuta passed the most bene-

ficial laws, by which the old colonial revenues were diminished, and the substitution, that was adopted to cover the deficit, has not at all corresponded to the estimates. The army, and the officers of the civil administration and of the revenue, demand the return of that part of their pay which the government had thought proper to retain: the fortifications, the marine, the artillery, and magazines, the officers, the national establishments, all require the consideration of Congress, and so urgently, that, in my opinion, it ought to occupy its first sittings; for without pecuniary resources the government cannot fulfil its duties, nor the nation profit by its independence and liberty. It is to the Chamber of Representatives I more especially direct my voice in this matter: two branches of revenue appear to me capable of assisting us in providing abundantly the supplies I require—those of tobacco and of customs. The first requires funds to improve it, and to make advances; and the second, well regulated laws. If to these are added the improvements which I expect will be made in the other existing branches, it may be expected that the people, being less burthened, will themselves facilitate the means of improving the national treasury. The government is desirous that the exactions from the clergy, known under the titles of *mesada-ecclesiastica*, *annualidades*, and *meda-annata*, may be entirely abolished.

One of the objects to which I must direct the particular attention of the Congress is our foreign debt. You, gentlemen, are aware that the generosity of several foreigners, during calamitous periods, reanimated the spirit of

the Colombians, and supplied them with the means of maintaining gloriously the war of independence; whatever may have been the views and speculations of our auxiliaries, the republic is their debtor, and we are bound to pay with fidelity. The complicated situation, in which this business is placed at present by the proceedings of our agents in Europe, and more so by the difficult circumstances with which the republic was surrounded until last year, has presented the government with serious difficulties, in adopting a conciliatory and decorous line of conduct. The Congress will be informed of all the details, and will be convinced of the prudence with which I have conducted an affair of so much delicacy. I must, however, declare that our national honour should rise above all other considerations, by sacrificing to it that regularity and economy which, in other circumstances, we should zealously and rigorously enforce. We are debtors, and we must pay at any sacrifice. The executive power expects that the Congress will pass a law by which it will be enabled to provide for the payment of the interest and the gradual liquidation of the principal.

The arms of Colombia have been covered with glory wherever they have proclaimed the laws and liberty, and, even in their reverses, they have preserved entire the character which they had acquired. At the time when the Congress of Cucuta closed its sittings, the important fortresses of Cartagena and Comana were in the hands of the Spaniards; the isthmus and the provinces of the captain generalship of Quito groaned under the unjust dominion of the government of Madrid; the province of

Córdoba had been in a state of insurrection fomented by Spanish agents; the district of Ocaña was under the dominion of a faction; the province of Guayaquil, disturbed in the interior, was exposed to the fury of anarchy, and a maritime force fearlessly dominated over our Atlantic coast. Now, all has disappeared, and this immense territory, once in the possession of Spain, is now under the protection of the laws and government of Colombia. Licentiousness, which generally follows in the train of war, has not stained the reputation of the defenders of the republic—the laws have spoken—their voice has been more tremendous than the clash of arms, and the conquerors, in a thousand battles, have never hesitated to obey them with submission. A desperate attempt of the enemy, which his superior maritime force enabled him to make, has roused the public spirit, and recalled to the liberating army its most sacred duty—that of renewing its sacrifices for the independence of the country. Maracibo, being occupied by the expeditionary general, the executive power conceived itself to be in the situation contemplated by Art. 198 of the constitution, and has used the extraordinary powers attributed to it in such manner and terms as will be laid before the Congress distinctly. If I have not as yet experienced the satisfaction of learning the complete destruction of the enemy, I have at least that of knowing that his intentions have been frustrated in the invasion of Mérida and Truxillo, and that the departments of Venezuela and Boyacá are in a state of security, the reinforcements of the army of the Magdalena having been efficaciously disposed; and the fortresses of Puerto-Cabello and

Maracibo being in a state of rigorous blockade. Had it not been for the unfortunate occurrence of the insurrection of a few places in Santa Martha, the government would now have announced to the Congress the freedom of the department of Zulia.

The standing army and the national militia require careful regulations and organization; without these, the government will continue to experience such difficulties and opposition as the enormous difference between the political system of a free state and the military system of an absolute monarchy necessarily produce. The fortresses which come into our possession in a ruinous state require urgent repairs—the magazines and parks of artillery require stores and other warlike supplies, which render the republic respectable. I recommend to the Congress, with that ardour which it is incumbent on me to feel, the fate of the widows, and of the soldiers and officers disabled in the service of the country.

The exertions of the government have procured for the republic a sufficient maritime force to protect our coasts and the foreign trade. Without it we should be still subject to the Spanish squadron, to whose superiority, as I have already said, the enemy is exclusively indebted for the advantages he has attained. But this valuable acquisition will be of no use, if the Congress does not supply the government with the means to maintain, increase, and repair whatever the course of military events or the accidents of the elements may render necessary. The secretary of the Navy will lay before the Congress more detailed information on this head, and will present to it

the result of the glorious trials which our forces have begun to make, together with the regulations, ordinances, and other provisions which the executive has made, in virtue of the law, to procure and preserve such a maritime force as our geographical position requires.

Gentlemen—I have lived only to contribute to the fulfilment of the will of the nation: to the rigorous observance of the laws I have sacrificed projects of utility and convenience, persuaded that submission to them is never more necessary than in the commencement of the establishment of a political system, and that no one ought to bow to them with greater respect than he who is placed at the head of the government. If circumstances have obliged me to exercise the extraordinary powers which the constitution permits, it never has been my intention to avail myself of them either against the political freedom of the nation, or of the individual liberty of the citizens. Foreign enemies and internal tranquillity have been the only objects I have had in view in the exercise of such powers; and in testimony of this truth I can appeal to the whole population of

the republic. I have endeavoured to employ the authority, which the representatives of the nation deposited in my hands, to its proper purpose, and if I have not advanced, so far as my desires and my conscience led me to wish, the Congress must attribute it to the want of means, of time, and of tranquillity, and not to my sentiments. From the moment when I took the reins of government, I was persuaded that I was placing myself under a load superior to my strength—that I renounced my liberty, and constituted myself a slave of Colombia; and I must frankly confess that, if I did not place my hopes in the labours and assistance of the Congress, I should not hesitate a moment in recovering my liberty. In conclusion, gentlemen, I congratulate the republic on the installation of the first constitutional legislature, and entreat of you, with the most ardent feelings of my heart, that we may unite our exertions, our vigilance, and our sentiments, to labour for the happiness of Colombia, and preserve entire the precious treasure of her independence and liberty.

FRANCISCO DE PAULO SANTANDER.
Bogota, 17th April, 1823—13th.

TREATY between the REPUBLIC of COLOMBIA and the STATE of PERU.

COLOMBIA AND PERU.

Francisco de Paula Santander, of the Liberators of Venezuela and Guadamarca, &c., Vice-President of the Republic, and charged with the Executive Power.

To all persons who may see these presents, health.

Whereas, between the republic

of Colombia and the state of Peru there was concluded and signed, in the city of the freshmen of Lima, on the 6th of July, in the year of grace, 1822, by plenipotentiaries sufficiently authorized on both sides, a treaty of perpetual union, coalition, and confederation, the tenour of which is literally as follows:—

In the name of God, the Sovereign Governor of the Universe!

The government of the republic of Colombia on the one part, and that of the state of Peru on the other, being animated with a sincere wish to put an end, as early as possible, to the calamities of the present war, provoked by the government of his Catholic majesty, the king of Spain, by efficaciously co-operating to so desirable an end with all their influence, means, and sea and land forces, until they have secured for ever, to their respective countries, subjects, and citizens, the valuable enjoyments of their internal tranquillity, freedom, and national independence; and his excellency the liberator, president of Colombia, having for this purpose conferred full powers on the hon. Joaquin Mosquera, member of the senate of the said republic; and the state of Peru on colonel Don Bernardo Monteagudo, counsellor and minister of state and foreign affairs, founder and member of the great council of the order of the Sun, and secretary thereof, decorated with the medal of the liberating army, superintendant-general of the post-office, and president of the patriotic society, they have, after exchanging in good and due form their said powers, agreed upon the following articles:—

Art. 1. The Republic of Colombia and the State of Peru, hereby agree to unite, bind, and confederate themselves in peace and war, from this time forward for ever, in order to sustain with their influence, and sea and land forces, as far as circumstances will allow, their independence of the Spanish nation, and of all other foreign dominion whatever; and to secure, after the same has been acknow-

ledged, their mutual prosperity, the best harmony and understanding, as well between their own countries, subjects, and citizens, as the other nations with whom they will have to enter relations.

2. The Republic of Colombia and the State of Peru, therefore, spontaneously promise and contract a perpetual compact of intimate alliance and firm and constant friendship for their common defence, for the security of their independence and liberty, for their reciprocal and general welfare, and their interior tranquillity; binding each other to afford mutual aid, and in common to repel all attack and invasion which may, in any manner, threaten their political existence.

3. In cases of sudden invasion, both parties may operate hostilely on the territory of each, whenever the circumstances of the moment do not allow of a special agreement being made with the government to whom belongs the sovereignty of the invaded territory. The party, however, so operating, shall observe, and cause to be observed, the statutes, regulations, and laws of the respective state, as far as circumstances will allow, and cause the government thereof to be respected and obeyed. The expenses which may be incurred in these operations shall be settled by particular conventions, and paid within one year after the conclusion of the present war.

4. In order to secure and perpetuate, in the best manner possible, good friendship and intercourse between both States, the citizens of Peru and Colombia shall enjoy the rights and prerogatives belonging to citizens born in both territories; that is to say, that Colombians shall be held

in Peru to be Peruvians, and the latter in the Republic of Colombia to be Colombians; without prejudice to the extensions or restrictions which the legislative power of either state has made, or may think fit to make, with respect to the exercise of the first magistracies. But to enter upon the enjoyment of the other rights, active and passive, of citizens, it shall be sufficient that they have their domicile in the State to which they may choose to belong.

5. The subjects and citizens of both States shall have free entry and departure in their respective ports and territories, and shall there enjoy all the civil rights and privileges of trade and commerce, subjecting themselves only to such duties, imposts, and restrictions to which the subjects and citizens of either of the contracting parties may be subject.

6. By virtue thereof, the vessels and territorial productions of each one of the contracting parties shall pay no more duties of importation, exportation, anchorage, and tonnage, than those established, or which may be hereafter established, for national vessels in the ports of each state, according to the laws in force; that is, that the vessels and production of Colombia shall pay such duties of entry and clearance in the ports of the state of Peru, as are paid by Peruvians; and the vessels and productions of Peru, the same as Colombians in the ports of Colombia.

7. Both contracting parties bind themselves to furnish every aid in their power to the vessels of war and merchantmen arriving in the ports belonging to either, in cases of distress, or through any other motive; and accordingly, they shall be allowed to heave down,

refit, take in provisions, arm, increase their armament and crews, so as to be able to continue their voyages or cruises at the expense of the state or individuals to whom they belong.

8. In order to avoid the scandalous abuses which may be caused on the high seas by privateers, armed on account of the individuals, in detriment to national and neutral commerce, the contracting parties agree to extend the jurisdiction of their maritime courts to the privateers navigating under the flag of either, and the prizes thereof indistinctly, whenever they cannot easily proceed to the ports to which they belong, or there is any suspicion of their having committed excesses against the trade of neutral nations, with whom both states ought to cultivate the best harmony and good understanding.

9. The demarcation of the precise limits which are to divide the territories of the Republic of Colombia and the state of Peru, shall be stipulated by a particular convention, after the next constituent congress of Peru shall have empowered the executive government of the said state to settle that point: and the differences which may arise on this subject shall be adjusted by those conciliatory and specific means which become two fraternal and confederate nations.

10. If, unfortunately, internal tranquillity should be interrupted in any part of the aforesaid states by turbulent and seditious persons, or enemies of those governments legally constituted by the will of the inhabitants, freely, quietly, and peaceably expressed by virtue of the laws, both parties bind themselves solemnly and formally to make common cause against

them, by mutually aiding each other by every measure in their power, until order and the empire of the laws shall have been re-established.

11. If any person, guilty or accused of treason, sedition, or any other grievous crime, should fly from justice, and should be found in the territory of either of the aforesaid states, he shall be delivered up and sent back to the disposal of the government that has taken cognizance of his crime, and under whose jurisdiction he is liable to be tried, as soon as the offended party has made the demand in due form. Deserters from the armies and national navy of both the contracting parties are also comprehended in this article.

12. This treaty or convention of union, and firm and perpetual friendship, shall be ratified by the government of the state of Peru within the period of ten days, without prejudice to the approbation which it has still to receive from the constituent congress; and by the government of the republic of Colombia, as soon as the same shall have received the approbation of the senate, by virtue of the law passed by congress, on the 13th of October, 1821; and in case, through any accident, the senate cannot meet, the same shall be ratified by the ensuing congress, conformably to the provisions of this constitution of the republic, made in articles 55, section 18. The ratifications shall be exchanged without delay, and within such period as the distance which separates the two states will allow.

In faith whereof, the respective plenipotentiaries have signed the present, and sealed the same with the respective seals of the states they represent.

Done in the city of the freemen of Lima, on the 6th of July, in the year of grace, and the 12th of the independence of Colombia, and the 3rd of that of Peru.

(Signed)

BERNARDO MONTEAGUDO,
JOAQUIN MOSQUERA.

Having seen and examined the above treaty of perpetual union, coalition, and confederation, in anticipation of the consent and approbation of the congress of the republic, conformable to article 55, section 18, of the constitution, I have exercised the power conferred on me by article 120, in ratifying the said treaty; and by these presents I do ratify and hold it to be valid and binding in all its articles and clauses, with the exception of the words "and for their interior tranquillity" of the second article; all that is expressed in the tenth article; and what follows of the eleventh article, viz.—"If any person, guilty or accused of treason, sedition or any other grievous crime, should fly from justice, and should be found in the territory of either of the aforesaid states, he shall be delivered up and sent back to the disposal of the government that has taken cognizance of his crime, and under whose jurisdiction he is liable to be tried, as soon as the offended party has made the demand in due form."

And for the execution and punctual observance of the same on our part, I engage and solemnly pledge the national honour.

In faith whereof, &c.

FRANCISCO DE P. SANTANDER.
(Countersigned) PEDRO GUAL.
Bogota, July 12, 1823.

FRANCISCO DE PAULA SANTANDER, &c. &c.
Whereas, between the Republic of

Colombia and the State of Peru, there was concluded and signed a treaty, additional to that of perpetual union, coalition, and confederation, on the 6th of July, 1822, by Plenipotentiaries sufficiently authorized on both sides, the tenour of which is literally as follows:—

In the name, &c.

The Government of the Republic of Colombia on the one part, and that of the State of Peru on the other, being animated by the most sincere desire to terminate the calamities of the present war in which they have been involved by the government of Spain, determined to employ all their resources and forces by sea and land to maintain their liberty and independence; and, desirous that this league may be general among all the states of America heretofore Spanish, in order that, strongly and powerfully united, they may in common sustain the cause of their independence, which is the first object of the present contest; they have nominated Plenipotentiaries to discuss, settle, and conclude a treaty of union, coalition, and confederation, viz.—

[Here follow the names of the negotiators, Mosquera and Montegudo, as in the preceding treaty.]

Art. 1. In order to tighten the bonds which hereafter are to unite both states, and remove any difficulty that may arise, or in any way interrupt their good understanding and harmony, an assembly, composed of two Plenipotentiaries on each part, in the same terms and under the same formalities which, according to established usage, are observed in the nomination of ministers of the same class near the governments of foreign nations.

2. Both parties bind themselves to interpose their good offices with the governments of the other states of America, heretofore Spanish, in order to enter into the present compact of union, coalition, and confederation.

3. As soon as this great and important object has been attained a general assembly of all the American States, composed of the Plenipotentiaries, shall meet for the purpose of cementing in a more solid and formal manner those intimate relations which ought to exist between all and each of them, and serve as counsel under great difficulties, as a point of contact in common dangers, and as a faithful interpreter of their public treaties, when difficulties arise, and as an arbiter and conciliator in their disputes and differences.

4. The Isthmus of Panama, being an integral part of Colombia and the most adequate for such an important meeting, that republic is gratified by having the opportunity of offering to the Plenipotentiaries who shall compose the assembly of the American States, all the aid which hospitality between fraternal nations, and the sacred and inviolable character of their persons, demand.

5. The State of Peru contracts the same obligation, if by the events of war, or by the consent of the majority of the American States, the said assembly should take place on its territory in the same terms as promised by the republic of Colombia in the preceding article.

6. The present compact of union, bond, and confederation, shall not in any way interrupt the exercise of the national sovereignty of each one of the contracting parties, either as regards their laws

and the establishment and form of their respective governments, of their relations with other foreign nations. They, however, expressly and irrevocably bind themselves not to yield to the demands of indemnities, tribute, or exactions, which the government of Spain may seek to establish for the loss of her old supremacy over these countries, or any other nation in her name, and representing her, and not to enter into any treaty with Spain, or any other nation, to the detriment and injury of the present independence, sustaining, on all occasions, and in all places, their respective interests with the

dignity and energy of free, independent, friendly, allied, and confederated nations.

7. The Republic of Colombia specially stipulates to maintain on foot, 4,000 men armed and equipped for the purpose of concurring in the objects indicated in the preceding articles. Its national marine will always be disposable for the execution of these stipulations.

8. The States of Peru will contribute, on its part, with its maritime force, and a number of troops equal to that furnished by the republic of Columbia,

(Signed as before.)

HISTORY AND BIOGRAPHY.

BIOGRAPHICAL MEMOIR of Pope PIUS VII.

THE original name of Pope Pius VII. was Barnabas Chiaramonti. He was born at Cesena, in Romagna, on the 14th of Aug. 1740 (not 1742 as incorrectly stated in the almanacks). In April 1785 he was elected a Cardinal.

This venerable personage was bishop of Imola in 1796, when Buonaparte entered that town with his army. The reception which the French experienced from the prelate was so charitable and mild as to secure to the latter the favour of the Republican General, whose influence was supposed to have been afterwards employed in promoting him to the Papedom. Pius VI. died in captivity at Valence in 1798, at the advanced age of 82; but it was not till March 1800, that it was found possible to proceed to the election of his successor, when Cardinal Chiaramonti being chosen on the 14th, and his enthronisation taking place on the 21st, he assumed the name of Pius VII. He did not take possession of Rome itself till November 1801, when a medal was struck there, with the inscription, *Sol refulget*. His occupation of the throne was marked by an act of liberality, in remitting to the distressed inhabitants of Pesaro their taxes. In the

years 1800 and 1801 he caused no less than ten vacancies in the College of Cardinals to be filled up; among the new cardinals was his private secretary, Hercules Gonsalvi, whom he also appointed Secretary of State. In February 1802, he received at Rome with great pomp the body of his venerable predecessor, which Buonaparte, wishing to conciliate the good opinion of the Catholics, caused to be transported thither. Steps, indeed, had already been taken by the First Consul to reconcile France to the church of Rome, and with this view a concordat was signed on the 25th of July, 1801, and Pius VII., in September following, sent cardinal Caprara as his Legate *à Latere* to Paris; together with the bull of ratification of the concordat. A new circumscription of dioceses was agreed upon, and the Legate was authorised to institute the new Archbishops and Bishops. When Buonaparte assumed the Imperial title, he persuaded Pius VII. to come to Paris to crown him. The latter delivered an allocution on this subject on the 29th of October, 1804; left Rome on the 2nd of November, and reached Fontainebleau, where Buonaparte received him in great state, on the 25th of that month. On the 2nd

of December the Coronation took place, and from this time Buonaparte, having obtained all that he wanted of the Pope, began to prepare for depriving him of all his power. "At one time," says he to Mr. O'Meara, "I had in contemplation to take away all his temporal power, and make him my *Almoner*." In the third volume of *Las Casas' Journal*, Buonaparte is described as speaking in most contemptuous terms of the discussions which took place on the part of the Pope with him at this period.

On the 16th of May, 1805, the Pope reached Rome on his return, and was received with great joy by his subjects. In the course of 1807, Buonaparte having made many demands on Pius VII. with a threat of occupying his capital on non-compliance, the latter on the 2nd of February, 1808, published a solemn protest against such occupation. This was answered, on the 2nd of April following, by a decree, in which Buonaparte said, "*considering that the Pope had constantly refused to make war on the English*, the provinces of Ancona, Urbino, and Macerata should be annexed to the kingdom of Italy." His holiness sent a deputation to pray that the rigour of this decree might be softened, but Buonaparte replied to them,—"Your bishop is the spiritual chief of the church, but I am its emperor;" and on the 17th of May, 1809, he issued a decree, annexing the Pontifical States to the French Empire. Pius VII. opposed to all these violences nothing but Christian humility, combined with the most unbending firmness. He never would anathematize the English nation—he never would make war on them—he never would declare that they were the

enemies of the church. Buonaparte caused him to be seized by night, and dragged, at nearly 70 years of age, from Rome to Fontainebleau, where he was kept as a State prisoner until the downfall of the tyrant in 1814, when he was immediately restored to his dominions, proceeded to revisit them without delay, and once more re-entered Rome, in the midst of a population enthusiastically delighted at his restoration. He immediately employed himself in re-organising all the public institutions, and has ever since devoted himself unceasingly to the affairs of the church, leaving the direction of civil and temporal affairs almost wholly to his minister, cardinal Gonsalvi.

Pius VII. was mild and amiable; he abounded in real Christian charity; and, though so long subjected to the most unjust persecutions, never evinced the least symptom of a vindictive spirit towards his enemies; whilst to his friends or benefactors, and particularly to the *English Nation and Government*, he always testified the warmest gratitude.

He was indeed greatly attached to the English, towards whom, on every presentation at his court, he manifested kindness. The Pope would never permit an Englishman, when he was presented to him, to indulge in the well-known ceremony of kissing the great toe. This old relic of Popish superstition was, on these occasions, converted by the good old man into a cordial and affectionate embrace.

He died at Rome, on the 20th of August, after a most eventful life of 83 years and 6 days, of which he had governed the Roman Catholic Church for the long period of 23 years, 5 months, and 6 days.

BIOGRAPHICAL MEMOIR of Lord ERSKINE.

THOMAS ERSKINE was the third and youngest son of Henry David Erskine, tenth earl of Buchan, in Scotland, the representative of a family, which filled in the ancient times of the Scottish monarchy, the highest situations of public trust, as privy councillors and ambassadors, as guardians during minority, and as lord high treasurers, and regents of the kingdom of Scotland. He was born about 1750, and educated partly at the high school, Edinburgh, and partly at the university of St. Andrew's. At the age of 14 Mr. Thomas Erskine embarked at Leith, on board a king's ship, as midshipman, with the late sir John Lindsey, the nephew of the first earl of Mansfield; it is a singular circumstance, that he never re-visited his native country until a few years ago.

He never, it is believed, had the commission of lieutenant, but acted for some time in that capacity by the appointment of his captain. His reason for quitting the navy is said to have been the slender chance of obtaining promotion; and as he had only served as an acting lieutenant in consequence of the friendship of his commander, he was unwilling, after having been honoured with such a distinction, to return to sea in the inferior capacity of midshipman.

On quitting the naval service he entered the army as an ensign in the royals, or first regiment of foot. This was in the year 1768, and happened not so much from inclination, it is said, as because his father, with a small and strictly entailed estate, had not the means of assisting him, with convenience,

to pursue one of the learned professions. He went with his regiment to Minorca, in which island he spent three years, and continued in the service about six.

During the period Mr. Erskine served in the army, he acquired considerable reputation for the acuteness and versatility of his talents in conversation. Mr. Boswell, who met him about this time in a mixed company in London, mentions, in his *Memoirs of Dr. Johnson*, the delight which the doctor had himself felt from the ability of a gentleman, who was no other than the subject of this memoir, while discoursing on some temporary topic which, at that time, happened to be an interesting question of dispute in the circles of the metropolis.

Whether the consciousness of these powers, or the suggestions of his friends, or the embarrassments of a scanty income, first invited him to make preparations for the study of the law, it is of no importance to inquire.

It has, however, been said, that Mr. Erskine had no merit whatever in embarking in so new and arduous a pursuit; but that it was literally and most unwillingly forced upon him by the importunities of his mother, the countess of Buchan, after the death of his father: and that the hopes of succeeding in it were fortified and kept alive, against his own prepossessions, by her counsel and persuasions.

Mr. Erskine was about twenty-six when he commenced his course of legal study. He entered as a fellow-commoner of Trinity College, Cambridge, in the year 1777;

and, at the same time, inserted his name as a student on the books of Lincoln's-inn. One of his college declamations is still extant, as it was delivered in Trinity college chapel. The thesis was, the Revolution of 1688. It gained the first prize, and was an earnest of his future eminence.

Mr. Erskine did not enter the University for any academical purpose, except merely to obtain a degree, to which he was entitled as the son of a nobleman, and by which he saved two years in his passage to the bar. His education had been previously completed in Scotland. His father, one of the most accomplished men of his time, had uniformly felt an extraordinary solicitude as to the education of his children, and actually removed from his family estate in Scotland for the purpose of residing at St. Andrew's, where he continued for many years. Mr. Erskine always pursued the study of the *Belles Lettres* with unremitting ardour, and had the advantage of imbibing from the most eminent persons of the day that various and extended knowledge which can never be derived from books or solitary application. In order to acquire a necessary idea to the practical parts of his future profession, he entered, as a pupil, into the office of Mr. Buller, then an eminent special pleader at the bar.

During this period of his life, Mr. Erskine experienced all the difficulties arising out of a very limited income. He had been already married about four years, and was obliged to adhere to a most rigid frugality.

The part sustained by the late Mrs. Erskine, before the cloud

that overhung their first entrance into life dissipated, is highly honourable to her feelings; she accompanied her husband to Minorca, followed his fortunes with the most cheerful constancy, and while he was engaged in the pursuits of a most laborious profession, never suffered any pleasure or amusement to interrupt her in the assiduous discharge of her domestic duties.

While he remained in the office of Mr. Buller, he pursued the business of the desk with unremitting activity and ardour; and, on that gentleman's promotion, he went into the office of Mr. Wood, where he continued a year after he had been in considerable business at the bar.

Mr. Erskine had now completed the probationary period allotted to the attendance in the Inns of Court; and he was called to the Bar in Trinity Term, 1778. He is a singular exception to the tardy advancement of professional merit at the English bar. An opportunity was almost immediately afforded him of distinguishing himself in Westminster Hall. Capt. Baillie, who had been removed from the superintendence of Greenwich Hospital by the late earl of Sandwich, then First Lord of the Admiralty, and one of the governors of Greenwich Hospital, was charged with having published a libel on that nobleman, and the Attorney General was instructed to move for leave to file a criminal information against him; this was the occasion of Mr. Erskine's first speech in Court. In opposing the motion of Mr. Attorney General, an opportunity presented itself of entering into the merits of the case in behalf of captain Baillie,

He accordingly expatiated upon the services which had been rendered by his client, and on the firmness with which he resisted the intrigues and artifice to which he attributed the prosecution set on foot against him.

In the course of this speech, he also attacked the noble earl in a tone of sarcastic and indignant invective. Lord Mansfield interrupted him more than once; but the advocate did not abate the severity of his animadversions. It was at that time no common spectacle to observe a man so little known to the Court and the Bar, commenting with asperity of remark on the conduct of a powerful statesman, who held an elevated post in the administration, and distinguishing himself by a species of confidence not usually felt in early efforts of public speaking, under circumstances that rendered it prudent to abstain from personal severity, and conciliate the Bench he was addressing.

This was the first trial of his talents at the bar, having been called only in Trinity Term, and having been employed for captain Baillie in the Michaelmas Term following. He is said to have been indebted for this opportunity to no interference, recommendation, or connexion. His acquaintance with captain Baillie originated in his having accidentally met him at the table of a common friend. Almost immediately after, Mr. Erskine appeared at the bar of the House of Commons as counsel for Mr. Carnan, the bookseller, against a bill introduced by lord North, then prime minister, to re-vest in the Universities, the monopoly in Almanacks, which Mr. Carnan had succeeded in

abolishing by legal judgments, and he had the good fortune to place the noble lord in a considerable minority upon a division.

To the reputation which these speeches conferred upon him, it has been said that he attributed the subsequent success he experienced in his profession; and that, as he left the court upon one of these occasions, nearly thirty briefs were offered to him by the attorneys who happened to be present. He was surrounded by clients, and occupied by business.

The public feelings were altogether occupied by the interesting trial of admiral Keppel. Mr. Erskine was retained as counsel for the admiral—a circumstance owing to the ignorance which the counsel (Mr. Dunning and Mr. Lee) who were originally engaged, displayed relative to the sea-phrases, without some knowledge of which the case was, in a great measure, unintelligible. The former, afterwards created lord Ashburton, recommended Mr. Erskine as completely qualified for the task, in consequence of the manner in which he had passed the former part of his life.

Having drawn up his defence, he personally examined all the admirals and captains of the fleet, and satisfied himself that he could substantiate the innocence of his client, before the speech which he had written for him was read. For his exertions on this memorable occasion, Mr. Erskine received a thousand guineas.

He was now in possession of the best second business in the King's Bench. By the phrase second business, is meant that sort of business in which the lead is not given to the counsel who are not yet

arrived at the dignity of a silk gown, and of a seat within the bar of the court; but an event took place which called his talents into activity on a most memorable occasion; we allude to the riots which disgraced the City of London in the year 1780. Every one knows the universal consternation, which at that time agitated the kingdom; when the security of the nation was threatened in the destruction of the Capital. After the suppression of these tumults, the vigilance of the magistracy was exercised in directing the insulted justice of the country against the actors in that dreadful conflagration. The part attributed to lord George Gordon in these outrages is well known.

Mr. Erskine was retained as counsel for his Lordship, in conjunction with Mr. Kenyon, afterwards Chief Justice of the King's bench. The duty which more immediately devolved on the former, was that of replying to the evidence; a duty which he sustained with infinite judgment and spirit. His speech on this trial abounds with many of the most finished graces of rhetoric. It is rapid and impetuous; and altogether in that style and character which are most impressive in judicial assemblies. The exordium is after the artificial method of the ancients, who never begin an oration without an appeal to the tribunal they are addressing, upon the embarrassments and peril of the function they have undertaken. "I stand," said Mr. Erskine, "much more in need of compassion than the noble prisoner. He rests secure in conscious innocence, and in the assurance that his innocence will suffer no danger in your hands. But I appear before you a young

and inexperienced advocate; little conversant with courts of Criminal Justice, and sinking under the dreadful consciousness of that experience."

There is perhaps no department of his profession, in which Mr. Erskine reached higher excellence than in commenting upon evidence; and the defence of lord George Gordon required the exercise of these powers to their amplest extent. Having delivered to the jury, the doctrine of high treason, as it had been established by the act of the 25th of Edward the third, and as it was expounded by the best authorities, he made a most dextrous application of those rules to the evidence which had been adduced. They who study this speech will observe, with admiration, the subtleties with which he abates the force of the testimony he is encountering, and the artful eloquence with which he exposes its defects, and its contradictions. "I say, *by God*, that man is a ruffian, who on such evidence as this, seeks to establish a conclusion of guilt!" was his exclamation, as he was finishing this topic of his defence. An impassioned mode of address, which, although it may find some apology in the perpetual example of Cicero, is not altogether suited to the soberness of English eloquence. Of this speech, the concluding sentence is truly pathetic. We scarcely hesitate to pronounce it to be the best effort of Mr. Erskine's talents; it does not, indeed, display the minute beauties of cultivated diction, nor those grave remarks of moral wisdom with which his latter speeches, in imitation of Mr. Burke, are pregnant; but, considered in reference to the occasion on which it was delivered,

it is a most astonishing effort of vigorous and polished intellect.

In the month of May, 1783, Mr. Erskine received the honour of a silk gown. His Majesty's patent of precedence being conferred upon him, as has been said, on the suggestion of the venerable lord Mansfield. His professional labours were now considerably augmented, and he succeeded to that place which had been so long occupied by Mr. Dunning, afterwards lord Ashburton.

It would be impossible, within the space allotted to this article, to give an account of the causes pleaded by Mr. Erskine. It has been said, that he who looks for a perfect model of the style of Mr. Erskine, must examine his speech on the trial of Stockdale. When the charges against Mr. Hastings were published by the House of Commons, a Mr. Logan, a clergyman of the church of Scotland, and a friend of the governor general, wrote a tract, in which those charges were investigated with some acrimony, but with considerable warmth and vigour; so that the pamphlet being considered as libellous by a resolution of the House, a criminal information was filed by the attorney-general against Stockdale, the publisher. In the course of his defence, Mr. Erskine urged many collateral topics in favour of Mr. Hastings, in a style of fervid and ornamental eloquence.

Mr. Erskine, for a few years, travelled the home circuit, but his rapidly increasing eminence soon withdrew him from that sphere. This was owing to the numerous special retainers which poured in on him from all parts. These were endorsed, each with a fee of 300 guineas, and during his pro-

fessional career Mr. E. had, on an average, not less than a dozen in a year. On these occasions Mr. E. never failed to earn meritoriously the large remuneration which was paid to him. His vanity and ambition conduced to this effect, as well as his sense of duty. It was necessary that his exertions should correspond with the high expectations formed in each instance of a special counsel, and that counsel, Mr. Erskine. Accordingly he not only made himself a perfect master of his client's case, but he brought to his service the full measure of his zealous feeling, and the perfect exercise of his brilliant talents. He condescended even to have recourse to little artifices, pardonable in themselves, to aid the illusion. He examined the court the night before the trial, in order to select the most advantageous place for addressing the jury, and when the cause was called on, the court and audience were usually kept waiting in anxious suspense a few minutes before the celebrated stranger made his appearance, and when at length he gratified their impatience, a particularly neat wig, and a pair of new gloves distinguished and embellished his person beyond the more ordinary costume of the barristers of the circuit. On these occasions, whether it was owing to the superior abilities, or the better fortune of Mr. Erskine, is perhaps doubtful (but in many instances certainly the former was the prevailing cause of the event), he was almost uniformly successful.

Mr. Erskine's eloquence was altogether different from any thing that had been witnessed before his time, and assuredly he has left no competitor behind him. He could not display the peculiar energy of

law, invigorated as it was by a Latinised phraseology, and a pronunciation slightly tinctured with a northern burr: he had not the coarse humour of Mingay; the tormenting pertinacity of Gibbs; or the interrogative astuteness of Garrow, but he possessed an opulence of imagination, a fertility of fancy, a power of commanding at the instant all the resources of his mind, and a dexterity in applying them, which the whole united bar of England could not equal. He was successful with nearly the same degree of excellence on all subjects, in dry legal argumentation and in Nisi Prius popular orations; and when before a jury, his merit shone no less in plain matter-of-fact business, in commercial and navigation causes at Guildhall, than on occasions when it was necessary to make appeals to the passions, when adultery, seduction, or insanity, formed the subject of damages, or the matter of inquiry. The latter unquestionably constituted the more showy and imposing exhibitions of talent, and in these the palm of unrivalled excellence was awarded to him; but Mr. Erskine's judgment, in the conduct of a cause, was at least equal to his other merits, and on common occasions those who were associated with him in holding briefs had no less reason to admire his prudence in what he did not say, as the bye-standers had to extol his ingenuity in what he did. To these more intellectual qualifications, Mr. E. added the not less useful advantages of person, countenance, and voice. His features were good, and capable of infinite variety of expression; the whole animated and intelligent at all times, and occasionally lighted up and beaming with a sweetness

which we never saw in equal perfection in any other human face. His manner set off the whole. The clear melodious tones of his voice were nicely, and almost scientifically, modulated to the subject in hand, and accompanied by action most inimitably graceful; such as those who have not seen it, can form no notion of it from the stiff attitudes and boisterous gestures of the degenerate performers of the present day. It should not be forgotten that his demeanour was uniformly respectful to the bench, and kind and courteous to his brethren at the bar. During his twenty-eight years practice, he was never known, but on one occasion, to say a rude or harsh word to any gentleman opposed to him in a cause, and on that single occasion he made ample amends by a voluntary and instantaneous apology. In truth he was as much beloved in Westminster Hall, as he was admired in the world, the first in popularity at home, as the foremost in fame abroad.

In 1788 Mr. Erskine was elected a member of Parliament for Portsmouth, but his success in the House of Commons was not commensurate with the splendor of his professional reputation. He was overpowered by the commanding tones, the sarcastic invective; and the cutting irony of Mr. Pitt. In politics a follower of Mr. Fox; and a disciple of the Whig school, he naturally became what is called a constitutional lawyer, a distinction cheaply gained, and not a legitimate object of Mr. E.'s ambition. Hence his exertions in the dean of St. Asaph's case, and his advocating the causes of a multitude of persons prosecuted for sedition by government. His defence of Paine, however, occasioned

his sudden dismissal from the office he held as attorney-general to the prince of Wales; but he was in 1802 restored to the rank of attorney-general to the prince, and subsequently appointed to the dignity of Chancellor to his royal highness, and keeper of the seals for the duchy of Cornwall.

One of the most brilliant events in Erskine's professional life was the part cast upon him, in conjunction with Mr. (afterwards sir V.) Gibbs, in the State Trials, in the year 1794. The accused persons looked up to Mr. Erskine as their instrument of safety; and he managed their several defences with an enthusiasm which rendered him insensible to the fatigues of a long and continued exertion.

In 1804 he accepted the command of the corps of Volunteers, formed under the name of the Law Association.

A great change in the political hemisphere having taken place, converted the eloquent advocate into a judge, and a peer of the realm. Soon after the death of Mr. Pitt, the subject of this memoir was sworn a member of the privy council, created a baron (Feb. 7, 1806) by the title of lord Erskine, of Restormel Castle in Cornwall, and entrusted with the great seal as lord high chancellor of Great Britain.

Lord Erskine's judicial life was much too short to afford a fair test of his qualification for the high and important station of lord-chancellor. He succeeded to that office under many disadvantages. Of these it was no slight one, that he superseded an eminent lawyer then in the prime of his life, whose whole professional existence had been passed in courts of equity, (with a

short interval when he was chief-justice of the Common pleas), and whose extraordinary attainments are acknowledged by the very opponents who arraign the mode in which he uses them. It is a curious part indeed of lord Eldon's history, that while there are those, who from party motives are bold enough to dispute his fitness for holding the great seal, there is not one person who can summon courage enough to deny, that he is the greatest lawyer of the day; that he boasts in an eminent degree professional erudition, a vigorous and active intellect, and unremitting diligence, most laborious habits of investigation, and unimpeachable integrity. It was lord Erskine's misfortune to come after this learned personage, and to have practised only in courts of common law, the greatest experience in which gives no insight into the practice of the court of chancery, and no acquaintance with its principles. Under these circumstances it is no disparagement to lord Erskine to say, that he was not equal to his predecessors. But in this station his quickness and readiness in catching points and adopting instruction were conspicuously signal. Without the assistance which he derived from the learned bar of the court, lord E. certainly could not have administered the business; but with the information which that assistance gave him, he secured himself at least against gross error, if he did not distinguish himself by new and original exposition. In one transaction lord Erskine's chancellorship was marked by his abandoning as a judge the opinions which he had strenuously maintained as a counsel. In the earliest part of his life he had inveighed with some vehemence

against the summary process of attachment exercised by the courts, as contrary to the liberty of the subject, and as depriving the party of trial by jury. But in the case of *ex parte Jones*, reported in Vesey, vol. xiii. p. 237, it happened to him to be under the necessity of himself committing a printer to prison for a contempt in publishing a pamphlet defaming the proceedings of the court.

In the early part of 1807, the short-lived administration of lord Grenville broke up, and lord Erskine, after his retirement from office, took for a long time but little part in public concerns. His present majesty with whom he had always been a personal favourite, invested him, soon after he became regent, with the order of the thistle. Gratitude for this favour, as well as other considerations, perhaps, kept lord E. from active opposition until the unfortunate business of the late Queen, when after a little vacillation in the outset, he ultimately took a decided part against his royal patron.

In the interval of leisure he published two volumes of a political romance, and recently some pamphlets in favour of the Greeks. These publications added nothing to his former reputation. His last literary production was a poem humanely written in favour of the poor rooks, so unmercifully sacrificed by farmers. It appeared in the *Literary Gazette*.

His lordship married March 29, 1770, Frances daughter of Daniel Moore, Esq. M.P. for Great Marlow, who died Dec. 26, 1805, and by whom he had issue five daughters and three sons. Late in life, he married a woman with whom he had long cohabited, and was scarcely married, when he

sought (but unsuccessfully) a divorce. He was succeeded in his titles and estates by David Montague his eldest son, married Jan. 1800, to Fanny, daughter of general Cadwallader of Philadelphia, in North America.

He died on the 17th of November, at Almondell, near Edinburgh, the seat of his nephew, Henry Erskine, of an inflammation of the chest, aged 75. He had been twice before ill of the complaint which proved fatal to him—in 1807 and 1819. His recovery at the last of these periods was deemed impossible, but his strength of constitution, saved him then against the expectation of the physicians.

His remains were conveyed from Almondell, and interred in the ancient family vault at Uphall church. The funeral was private, the body being conveyed in a hearse drawn by six horses, which was followed only by the family carriages, and those of a few private friends.

His principal publications were as follow:—

1. Arguments on the Right of Juries, in the cause of the dean of St. Asaph, in the court of King's-bench. London, 1791. 8vo.—2. The whole Proceedings on a Trial of an information *ex-officio* by the attorney-general against John Stockdale for a supposed libel on the House of Commons, in the court of King's-bench before lord Kenyon. To which is subjoined an Argument in support of the Right of Juries. 1791. 8vo.—3. Speech on the Liberty of the Press. London, 1793. 8vo.—4. Speech in Defence of Thomas Hardy and John Horne Tooke, Esq. tried on a charge of High Treason. London, 1795. 8vo.—5. Speeches of

the honourable T. Erskine and J. Kyd, Esq. on the trial of T. Williams, for publishing Payne's *Age of Reason*; with lord Kenyon's charge to the jury. London, 1797. 8vo.—6. *A view of the Causes and Consequences of the present War with France*. London, 1797. 8vo. This pamphlet had an unprecedented sale, there being no less than forty-eight editions of it printed within a few months after its publication.—7. Substance of his Speech in the House of Commons on a motion for an Address to the Throne, approving of the refusal of ministers to treat with the

French Republic. London, 1800. 8vo.—8. An Explanation of all the Acts of Parliament relative to the Volunteer Corps. London, 1809.—9. Speech on Malicious and Wanton Cruelty to Animals 1809. 8vo.—10. The speeches of the honourable T. Erskine, when at the bar, on subjects connected with the Liberty of the Press, and against Constructive Treason. Collected by James Ridgeway. London, 1810. 3 vols. 8vo.—11. Speeches when at the Bar on Miscellaneous subjects. 1812. 8vo.—12. *Armata*, 1821.

BIOGRAPHICAL MEMOIR of the Earl of St. VINCENT.

ON March 15, in the present year, at Rochetts, near Brentwood, in his 89th year, died John Jervis, Earl of St. Vincent in the kingdom of Spain, viscount St. Vincent of Meaford, county of Stafford, and baron Jervis of Meaford, admiral of the fleet, G.C.B. and K.T.S. F.R.S. general of the royal marines, an elder brother of the Trinity-house, and one of the council of state for the prince of Wales in Cornwall.

He was descended from an ancient and respectable family in Staffordshire, was the second and youngest son of Swynfen Jervis, Esq. barrister-at-law, counsel to the board of Admiralty, and auditor of Greenwich hospital; and his mother was the sister of sir Thomas Parker, lord-chief-baron of the Exchequer. He was born at Meaford-hall, Jan. 9, 1734 (O. S.) He imbibed the rudiments of his education at the grammar-school of Burton-upon-Trent, which at the age of ten years he quitted, and entered the navy, a

service in which he was probably induced to enter, from his father's situation in the admiralty.

He received the first rudiments of his naval instruction under the gallant lord Hawke, and having been rated a midshipman about 1748-9 he served in that capacity on board the Gloucester of 50 guns, on the Jamaica station.

On the 19th of February, 1755; he was promoted to the rank of lieutenant; and, in the ensuing war, he was employed in the expedition against Quebec. Soon after he was advanced to the rank of commander; and having returned to Europe, proceeded, not long afterwards, to the Mediterranean, and was appointed captain of the *Experiment*, a post ship of twenty guns, during the indisposition of sir John Strachan. While this temporary promotion lasted, he fell in with and encountered a large Xebec trader, under Moorish colours, manned by Frenchmen, mounting twenty-six guns, besides swivels and pateratoes, and with

a crew three times as numerous as the *Experiment*. After a furious but short conflict, the enemy was so disabled as to be glad to take advantage of a light and favourable breeze of wind, to escape from her opponent, and secure herself by flight.

Captain Jervis soon after returned to England, and continued to command the *Albany* sloop until the 11th of October, 1760, when he was promoted to the rank of post-captain in the *Gosport* of 40 guns, in which ship he continued until the end of the war, in a situation which afforded little opportunity for exertion. From this period until 1769, no event of importance occurred; but at that period captain Jervis's services were again called for, and he was appointed to the *Alarm* frigate of 22 guns. His orders were to go to the Mediterranean, where, in 1770, being at Villa Franca, he had the honour of entertaining the Duc de Chablais, brother to the king of Sardinia.

Returning to England in 1774, he was promoted to the *Foudroyant*, of 84 guns, which being ordered to join the fleet equipped for channel service, became the admiral's ship, and our officer was selected by admiral Keppel to be one of his captains.

In the memorable engagements between the French and British fleets, on the 27th and 28th of July, 1778, his lordship commanded the *Foudroyant*, which was the next ship to the *Victory*, and as closely engaged and as much disabled as any ship in the fleet.

On the trials which followed the unlucky difference and misunderstanding between admirals Keppel and Palliser, captain Jervis gave his evidence with candour and

impartiality, and spoke in the following terms of his superior officer:

"That during the whole time that the English fleet was in sight of the French fleet, he displayed the greatest naval skill and ability, and the boldest enterprize upon the 27th of July; which, with the promptitude of sir Robert Harland, will be subjects of my admiration and imitation as long as I live."

From the evidence given upon this trial, it appears, that the *Foudroyant*, which had got into her station about three, and never left it till four the next morning, was very closely engaged, and in a most disabled state. Her mainmast had received a shot very near through the head and lodged in the cheek, which passed through the heart of the mast, and several other shot in different places; her foremast had also received several shot; a large excavation had been made in her bowsprit near the centre; the fore-topmast was so disabled that it was obliged to be reefed, and the mizen was totally disabled; every hope of her running-rigging cut, and her shrouds demolished; no braces or bowlines left and scarcely any haulyards: fore-stay, spring-stay, and topsail-ties, and the foot-rope of the fore-top-sail, shot away; her sails also were very much shattered.

In this most disabled state, the *Foudroyant* was not in a condition to chase, but kept her station next the *Victory*, as far to windward as possible. "I was covetous of wind" said this brave officer, "because, disabled as I then was, I conceived the advantage of the wind could only carry me again into action."

He had not had any opportunity

BIOGRAPHICAL MEMOIR of CHARLES GRANT, ESQ.

THE late Charles Grant, Esq. was born in Scotland in the year 1746. By the decease of his father, who fell in the memorable battle of Culloden, a very few hours after the birth of this son, the care of his infancy and youth devolved upon an uncle, at whose expense he received a good education in the town of Elgin.

In the year 1767 Mr. Grant proceeded to India in a military capacity ; but, on his arrival there, he was taken into the employment, and under the immediate patronage, of Mr. Richard Becher, a member of the Bengal council. In 1770 he re-visited his native country, where he united himself by marriage with a lady of the name of Frazer, who survived him. Having, while in England, obtained the promise of an appointment, as a writer on the Bengal establishment, he re-embarked for India in May 1772, accompanied by his wife, her mother and sister, and lieutenant Ferguson, a friend of the family. The party took their passage in the ship *Vansittart*, captain Young, destined first to Bombay, and thence to proceed to Calcutta, where, on his arrival, he received his appointment, which is dated the 27th of November, 1772. In the course of this voyage he formed an intimacy with the Rev. Christian Frederick Swartz, a Christian missionary, with whom he maintained a correspondence till the decease of the latter *. During the same

voyage, he had the misfortune to be present at the sudden death of his friend Ferguson, who was killed, while on shore at the Cape of Good Hope, in an encounter with captain Roche †, also a passenger in the *Vansittart*.

Almost immediately after Mr. Grant's arrival at Calcutta, on the 23rd of June, 1773, he was pro-

of a memorial in St. Mary's Church at Fort St. George, at the public expence. This suggestion was adopted, and the monument erected at the cost of the East India Company.

† It afterwards appeared, that in the course of the voyage, a dispute had taken place between captain Roche and lieutenant Ferguson ; that the feud had been so violent as to induce those gentlemen more than once to seek the adjustment of their difference at the sword's point ; that from doing this they were several times prevented by the interference of friends ; that at length, while the parties were on shore at the Cape of Good Hope, and at a public tavern or hotel, being then under the influence of strongly-excited feeling, if not of wine, they quitted a coffee-room together, armed, without attendants, and in the darkness of night ; that Mr. Grant perceiving his friend withdraw, followed him, and overtook him in the public street, only in time to see him fall, pierced through the heart by his antagonist, and to hear his last convulsive inarticulate sobs. At the instance of Mr. Grant, this transaction underwent an immediate investigation at the Cape, where Captain Roche was acquitted by the Dutch authorities ; but a fresh application for justice was made at Bombay, and Roche was there imprisoned by the government, and sent under duress to England, accompanied by a memorial from Mr. Grant to the court of Directors, with other documents. The cause was finally referred to his majesty in council, and was the subject of considerable discussion at home in the year 1775, both in the public prints and separate pamphlets.

* After the death of Mr. Swartz, who had rendered important services to the East India Company, Mr. Grant recommended to the Court to perpetuate the remembrance of them by the erection

noted to the rank of factor, and soon afterwards was appointed secretary to the Board of Trade, which office he held for upwards of eight years, performing its duties with exemplary industry and ability.

In 1781, the Bengal government relieved him from his secretaryship, and stationed him as the company's commercial resident, in charge of their valuable silk factory at Malda, a town upon the banks of the Ganges, and in the immediate vicinity of the venerable and stupendous ruins of the once magnificent city of Gour,* the ancient capital of Bengal.

In June 1784, he obtained the rank of senior merchant, and, in February 1787, was summoned to Calcutta, that he might take possession of the seat and office of fourth member of the Board of Trade, conferred on him by lord Cornwallis, in consideration of his distinguished abilities and approved integrity. It may be necessary to observe, that the trade with India was at this time the Company's chief concern and exclusive property; and that the board at Calcutta, in correspondence with the court at home, had the general management of the Company's commercial interests. While his conduct as a member of this board added much to his reputation with the government, the discharge of the duties of the office considerably increased his commercial experience and general knowledge. But in less than three years after he had

received this appointment, the impaired health of his family compelled him suddenly to quit India, and return to England. Lord Cornwallis, who had held frequent communications with Mr. Grant, and entertained the highest regard for him, when solicited to allow him to quit the presidency, expressed regret at the necessity which deprived government of his services, considered as they were by his lordship so essential to the proper executive management of the commercial interests of the Company, that he would in any case not of the most extreme urgency, have requested him to continue. But this being impracticable, his return to England was accompanied by unusually strong expressions of the high satisfaction with which the government regarded his zealous and faithful services in the commercial department.*

A distinguishing feature of Mr. Grant's character, while in India, appears to have been a solicitude to uphold, to the utmost of his power, both by his example and influence, the public profession of the Christian religion by the Europeans. In this cause his zeal upon some occasions surpassed that of his cotemporaries. He not only contributed liberally towards the re-building † of St. John's church,

* One proof which Mr. Grant had given of his integrity while in India was the bringing to light a series of systematic frauds upon his employers, the continuance of which undetected, would probably have ruined their interests in one of the most valuable staples of their commerce.

† The Church originally constructed at Calcutta for the English settlers was destroyed by a furious hurricane in the night between the 11th and 12th of October 1797; and from that period till the erection of the Mission Church in 1770, no Protestant place of worship

* Mr. Grant many years after his return to England introduced to the court, views and plans of these stupendous ruins, by a young officer, which have since been published under the court's patronage, for the benefit of the author's widow.

in Calcutta, but promoted it by active exertions. It is also a fact not generally known, and to be recorded to his lasting honour, that he redeemed Bethtephillah, the Protestant mission church, from desecration, at a personal expense to himself of 10,000 rupees, and vested it in trust for sacred and charitable purposes for ever.*

After a residence in India of, altogether, nearly twenty years, in the service of the East India Company, Mr. Grant, with his family, re-embarked at Calcutta, on board the ship *Berrington*, and arrived in England in the autumn of 1790. His early promotion to stations of trust and emolument, for which he had been recommended by superior talent and tried integrity, had enabled him to acquire a respectable competency of fortune; and his residence in India, influenced, as he appears to have been, during the whole term of it, by a peculiarly strong sense of the obliga-

existed there. It was therefore proposed to erect a new Church by private subscription, to which Mr. Grant contributed 500 rupees, and assisted in the procurement of valuable materials from Gour.

* The Church or Chapel called Bethtephillah, with the schools and burying ground which had been erected by the Protestant Missionary I. Z. Kiernander, in the year 1770 for the use of his mission, was in 1787 placed under sequestration by the sheriff of Calcutta to answer for the missionary's personal debts. To prevent the desecration and sale of these premises, and discontinuance of public worship, which must have ensued, Mr. Grant paid out of his own pocket the sum of 10,000 rupees, being the amount at which they were valued, and immediately placed them in trust for sacred and charitable uses for ever, constituting Mr. William Chambers, a brother of sir Robert Chambers, with the Rev. Mr. Browne, one of the Company's Chaplains, and himself, trustees.

tions of religion, had matured his character to that of a Christian philanthropist, and inspired him with lively feelings of solicitude for the moral and intellectual welfare of the immense Mahomedan and Heathen population subject to the British government. He had instituted a close scrutiny into the character of the natives, which had resulted in the formation and establishment of opinions which governed his subsequent conduct upon occasions of great moral and political importance. His first employment, after his return to England, was, to commit the result of his inquiries to paper, in a tract intitled, "Observations on the state of society among the Asiatic subjects of Great Britain;" which was written in 1792, although not submitted to perusal, out of the circle of his personal friends, till 1797. In that year he laid it upon the table of the court of directors with an introductory letter, stating his motives for so doing to be, a consideration of its relevancy to certain proposals for communicating Christianity to the natives of India, by granting permission for missionaries to proceed thither, which had been repeatedly pressed upon the court's attention. This paper will be again adverted to, in connection with the final and successful efforts of its author for the attainment of that object.

On the 30th of May, 1794, he was elected a director of the East India Company by the unanimous vote of the proprietors, not more than two months after he had declared himself a candidate for the direction. He was at this time in the 49th year of his age, in the full vigour of an excellent constitution; possessed of extensive general knowledge; of laborious

habits as a reader and writer, with a sound judgment and great firmness, integrity, and benevolence.

To attempt a detail of all the important measures connected with the India administration, in the discussion and adoption of which Mr. Grant from this time took an active and often a prominent part, would be here impracticable. But that a brief reference should be made to a few of them, seems necessary for the illustration of his character, as the attached and powerful supporter of the East India Company, and their zealous advocate in parliament; and as the indefatigable friend and benefactor of the native population of British India.

The subject of the greatest moment which Mr. Grant found under the consideration of the court when he entered it, and which appears to have attracted his earliest attention, was a question respecting the freight paid by the Company for the hire of their shipping. This suggestion for an economical reform had been for several years before the court of proprietors, but no effectual measures had been determined upon. The friends of Mr. Grant have claimed for him the credit of having been mainly instrumental in effecting the salutary reform which afterwards took place. The best testimony to Mr. Grant's merits in the accomplishment of this change, is that furnished by its enemies, who, it appears, at the next election, made a vigorous but unsuccessful attempt to prevent his return to the Direction.

Upon other important questions which were agitated about this time, particularly those respecting the opening of the trade of India, and the prevention of an illicit trade, it will not be disputed, by

persons conversant with the subject, that Mr. Grant strenuously and eloquently supported the Company's rights, and rendered them eminent service.

Upon a question of equal moment, and peculiar delicacy, which first came under discussion in 1797, highly affecting the character of the directors, and thereby the vital interests of the company, the course pursued by Mr. Grant was as honourable to himself as it was beneficial to the body of which he formed a part. This question was, the alleged abuse of the patronage of the court, an imputation to which it was subjected, by the daily appearance of advertisements in the public papers offering appointments to India for a valuable consideration. To prevent the appearance of such advertisements, the court, it was found, possessed no power, nor any means of compelling a disclosure of the parties, who, there was reason to fear, were in some cases guilty of abusing the kindness of its members. Yet, restrained as they were, by legal obstacles, from either redressing or preventing the daily wrong done to their character, they judged it proper to use every possible means for their own exoneration. In September 1800, and in January 1801, the subject was warmly taken up in the general court; and upon the latter occasion, in particular, Mr. Grant, in an argumentative speech of some length, declared himself favourable to the prosecution of inquiry in every possible way; considering that "the honour of the court, the satisfaction of the public, and the state of the subject, did require it." By the decision of a ballot, which followed this discussion, a majority of the proprietors of India stock

estomacated the court from suspicion, while the continuance and flagrantcy of the grievance left the public mind unsettled upon the subject. At length an opportunity was afforded; by some disclosures which were accidentally made in the House of Commons, in the course of the inquiry into the conduct of his royal highness the commander in chief, in 1809, of effectually tracing the evil to its source. Mr. Grant, who had then a seat in the house, obtained the concurrence of the court of directors, and joined his brother director, Mr. George Smith, in a request that the house would appoint a Select Committee for the investigation of the subject. The results of that investigation, which were exculpatory of the whole court, did not reflect more honour upon the gentlemen who had sought it, than did the high tone of manly feeling and conscious purity with which it had been solicited.

In April 1804, he was, for the first time, elected deputy chairman of the court of directors; the hon. W. F. Elphinstone being at the same time chosen to fill the chair, to which Mr. Grant succeeded in April 1805. From April 1806 to April 1807, he was out of the direction by rotation. Upon his return to the court in April 1807, he was again elected deputy chairman, his friend Edward Parry esq. being at the same time chosen chairman. This arrangement was continued from April 1807 to April 1809, when Mr. Grant was again chosen to fill the chair, which he held till April 1810. He was re-elected to it in April 1815, and filled it till April 1816, making altogether a period of six years, during which he held the office of chairman or deputy chairman of the court.

Those only who reflect upon the extent of the British territories and interests in India, and the constitution of the India government at home, have it in their power to form any adequate conception of the variety, importance, and intricacy, of the subjects, which, in the course of such a protracted career of official duty, would occupy the mind and time of a gentleman thus distinguished by the confidence of the court. An entire devotion of time and talents is, in general, not more than sufficient for the discharge of the incumbent duties of either of these responsible situations.

Upon Mr. Grant's elevation to the chair in 1804, he found the measures of lord Wellesley's administration under review, of many of which, Mr. Grant conscientiously disapproved. They had indeed been characterised by great prowess and gallantry in the field and energy in the council; but such splendid qualities, in Mr. Grant's judgment, could not atone for substantial wrong, and nothing less did he impute to some of the measures in question; nor did they appear to him to have been beneficial in their results, as they had neither effected the pacification of India, for which they had been undertaken, nor improved the Company's commerce and finances. The first of his lordship's military enterprises, the Mysore war, was an exception; this was a contest to which the British government had been provoked by the treachery of Tippoo sultan, and his intrigues with the French. It was therefore as defensible in principle as prosperous in its issue. But the subsequent negotiations with the nabobs of the Carnatic and of Oude (both of them old and faithful allies of the British nation),

and the extinction by treaty of the former's power, and the dismemberment of the territories of the latter, were measures which in Mr. Grant's judgment were liable to a strong objection. And the immediate confederacy of the Marhatta princes against the British power, as it appeared to be a natural consequence of the erroneous policy which had been pursued, so it was considered as calling for a marked censure on those acts of aggression which had provoked it. Such at least were the sentiments of Mr. Grant, who, with reference to the system of the foreign relations of the Company in India, as well as of those which are domestic, always professed himself a strict adherent to the plans and principles of his friend and patron lord Cornwallis, whom he held in the highest estimation. He partook of that nobleman's solicitude for the establishment of an empire in India, founded rather upon character (and particularly upon the reputation of moral and intellectual superiority) than on force. "The character of this country," Mr. Grant observed in the House of Commons, on one of the discussions respecting Oude, "is its dearest possession, and I am convinced *that* character would be compromised, if the House should not, with a view to national honour and national justice, express its disapprobation of this transaction."

In accordance with these views, he gave his support to a resolution, submitted to the House by the late sir Phillip Francis on the 5th of April, 1805, "That, to pursue schemes of conquest, and extension of dominion in India, are measures repugnant to the wish, the honour, and the policy of this nation."

Upon this proposition lord Castlereagh moved the previous question; in reply to whom, Mr. Grant first fully vindicated the court of directors from all participation in the political measures of marquis Wellesley's government, and then voted in the minority with sir Phillip. "The true policy of the British government in India," observed Mr. Grant, "is not to pursue conquest for the sake of extension of territory. This opinion I have been led to adopt from experience of the effect of the former Marhatta war, an event which has laid the foundation of all the debts we have incurred there. Admitting, therefore, what I consider to be due to the marquis Wellesley, the credit of great ability and attention to the affairs of the Company, I cannot withhold my sanction to the motion. So much has been done to render it doubtful whether we have not abandoned that principle, that it has become necessary to give the world assurance that it shall in future be the guide of the British policy in India." On this, as well as on other occasions, when the political relations of India were under consideration, Mr. Grant was ably supported by such other members of the court of directors as were in parliament, and particularly by Mr. Hudleston, who had been many years in India.

The subject of lord Wellesley's policy was agitated again in the following session, when Mr. Paul laid upon the table of the House of Commons several specific charges against that nobleman, and a proposition for his impeachment. Mr. Grant in a preliminary debate upon the motion for papers, again allowed that the system pursued by lord Wellesley, was, as a mili-

tary system, very splendid, and attended with many advantages, "But," added he, "I cannot think that a good system for tranquillizing India, the effect of which has been, to involve us in quarrels with all the native princes." Upon the subject of the Oude charge, he fully concurred with the promoters of the impeachment, while at the same time he most candidly opposed the printing and circulating of the charge, before the papers were all produced. "Feeling," he observed, "this to be the fair and candid way of proceeding, I will avow my opinion, because having unfortunately had occasion to take rather a prominent part in many of these questions, and seeing it likely to become my duty to do so again, I find my only support in the painful predicament in which so much collision with feelings and opinions of others places me, to be, in the consciousness of honestly following the dictates of my own mind."

In the session of 1807, on a motion for papers relative to the conduct of the British government towards the Poligars, he traced the Vellore mutiny to the wish of the Mahomedans for the restoration of the sons of Tippoo sultan to power, and not to any interference with the superstitions of the natives. Mr. Grant also successfully maintained the Company's rights, and defended their interests upon two important financial questions; the first was, the Company's claim upon the government; the second, their request to be allowed to issue bonds in preference to the creation of stock.

In June 1808, the measure of deposing the nabobs of the Carnatic, came finally under discussion in the House of Commons. Upon

this occasion Mr. Grant delivered his sentiments at great length, and entered into a review of the papers on the table, which he concluded, by declaring the deposition of the nabobs and assumption of their power to be acts of injustice; and with reference to the pretences employed to justify them, he gave it as his decided opinion, "that not only there was nothing like legal evidence of the offences imputed to the last nabobs, but even no such presumption as an individual or a nation could act upon with any regard to justice."

In the revenue administration of India Mr. Grant supported a system which invested with proprietary rights and personal immunities the native landholders and cultivators; a system, of which it is a sufficient commendation to say, that it originated under the paternal government of lord Cornwallis, and is nearly the reverse of that followed by the Mahomedan governments.

The interest which Mr. Grant took in the Jurisprudence of India, always appeared to be proportioned to the influence, which, in his opinion, the due administration of justice would have upon the moral and intellectual condition of the natives. Few members of the court of directors were better qualified, by personal observation, to appreciate the difficulties which lay in the way of any considerable or rapid melioration in the state of a people, sunk as the natives of India are in their prejudices and habits—prejudices and habits as inveterate as they are odious, and riveted upon them by the ceaseless exertions of their superior orders or castes, to whom, for the most part, an undue homage, amounting to worship, is paid. But it was inconsistent with Mr.

Grant's consciousness of the superiority and divine authority of Christianity, to concede either to Mahomedanism or Hindooism an eternity of existence. Hence, perhaps, a certain complacency, with which he regarded all attempts to engraft principles of British Jurisprudence on the Asiatic stock; and hence the decision and zeal which he evinced upon all questions connected with the superstitions or morals of India.

The education of the Company's servants destined for India, and upon whom the executive government of the natives of that country must devolve, was of course an object of great moment with Mr. Grant, and the mode of it a question of vital importance. It has been publicly asserted to his honour, and we have reason to believe correctly, that the plan of the college at Halesbury in Hertfordshire originated with him. Most certain it is, that, upon all occasions when the conduct or government of that institution came under discussion before the body of the proprietors of India stock, he has appeared as its advocate, and taken a considerable part in every debate. The invidious imputations of some, that its design was merely to supplant a similar establishment previously formed by lord Wellesley at Calcutta, he effectually rebutted, and by cogent reasonings justified the preference which the court gave to England. According to the doctrine of Mr. Grant, a sincere and conscientious attachment to the Christian* faith,

and a settled patriotism, ought to form a part of the character of every Englishman who should be allowed to bear rule in India; and it will not be difficult to determine by which of these establishments those objects are most likely to be obtained.

The temporary defection of a part of the Madras army, under the administration of sir George Barlow in 1809, furnished an occasion for the exertion of Mr. Grant's energies, which, whatever may be the opinion of some persons on the great question then at issue, will probably be admitted by all, to have reflected honour upon him, as a man of distinguished abilities and invincible firmness; and few, if any, will be disposed to doubt that his conduct on the occasion proceeded from a deep conviction that the course he took was such as a sense of public duty prescribed to him. It will be recollected by most persons who are acquainted with India affairs, that the event referred to had its origin in a measure of needful economy in military equipment, which had been determined upon before the arrival of sir George Barlow at Madras. The adoption and enforcement of that measure by him excited considerable and unjustifiable dissatisfaction and opposition, and at length placed the commander in chief, lieutenant-general Hay Mac Dowal (who was not a member of the council) in an attitude of formal disaffection and even defiance to the government. The unfortunate end of that officer (lost at sea in

* Of the many persons who having proceeded to India with minds not fully made up on this subject, and who, in consequence thereof, afterwards virtually or actually conformed to Hindoo superstitions, the case of Job Charnock,

who founded Calcutta, was the most remarkable. He married a young Hindoo, of whom he was passionately fond, and she made a Hindoo of him; after her decease he annually sacrificed a cock to her manes.

his return to Europe) prevented his conduct from undergoing, at home, precisely that species of investigation which was suited to the case. But the strong and decisive measures which were adopted by the Madras government with sir George Barlow at its head, after the departure of lieutenant-general Mac Dowal, for the prevention, and finally for the suppression of the mutiny, excited by the lieutenant-general's parting address, published in a general order of the 28th January 1809; particularly the proceedings respecting lieutenant-colonel Boles and the other officers concerned in the publication of the general order; the trials of several officers, some of them of superior rank, for mutiny; the censure passed upon some civil servants whose conduct was disapproved by the government; and, finally, the removal of Mr. Petrie from the council, were all subjects of much and warm discussion at the India-house and in Parliament. In this discussion Mr. Grant took a decided part, vindicating the measures of sir George Barlow's administration, as well as his personal character, against all impugnors. He uniformly maintained, that the measures of sir George had been taken under circumstances of peculiar difficulty; that they had been dictated by fidelity to the Company's interests, that they were not stronger than the exigency of the occasion had required; and that therefore they did not entitle him to censure, but to the marked approbation of his employers. "He had," he observed in the House of Commons (Feb. 21, 1811), "long been an attentive observer of sir George Barlow's conduct, from the whole of which, during many years arduous

service, he was convinced that sir George had most eminently discharged the important duties reposed in him, and was excited to the high approbation of his country." In this opinion Mr. Grant certainly enjoyed the concurrence of a majority of the court of Directors, and of the other authorities in England, as well as of lord Minto, then governor-general of India. The papers relative to these proceedings which bear Mr. Grant's name, as well as those, in the preparation of which he was ministerially concerned as chairman of the court of directors, are on record in the proceedings of parliament, with all the documents connected with the subject, where they remain for the information of the future historian.

The negotiations between the court of directors and his majesty's ministers for the renewal by charter of the Company's commercial privileges, which commenced in 1808, when Mr. Grant was deputy-chairman, called forth an extraordinary display of the powers of his mind. This negotiation brought under review almost every right which the Company possessed, and involved in its progress the discussion of every principle of colonial government applicable to the East Indies. To assist in an investigation so extensive, Mr. Grant was peculiarly qualified, by the extent of his information, the soundness of his judgment, and the laboriousness of his habits; and very important services were, no doubt, rendered by him to the Company. He took an active, and sometimes a prominent part in all the proceedings. He was elected by the court a member of the deputation appointed to confer with his majesty's ministers; was co-

trated with the presentation of petitions to parliament on the Company's account; and, in the House of Commons, asserted and defended their rights, and maintained their pretensions with great ability. But while Mr. Grant thus supported the interests of the Company, he kept constantly in view the intellectual and moral wants of India; and in meeting these had to encounter difficulties as unexpected as they were extraordinary, partly occasioned by the facts, and in some instances arising out of the most surprising prejudices in favour of the Hindoo idolatry, which were entertained by Europeans connected with India. Among those who appeared to cherish prejudices in favour of the Hindoo idolatry, were the authors of several pamphlets circulated at the time, particularly the writers of one, which bears the signature of a Bengal officer; and among those who professed to entertain fears for the permanence of the British power in India, were two respectable proprietors of India stock (one of whom was afterwards a director), and who came forward avowedly to oppose missionary exertions, in pamphlets which bear their names. The one party maintained the purity of Asiatic morals, and the harmlessness of the Hindoo character; and the other, the danger of meddling with Hindoo prejudices. The controversy to which this subject gave rise, was, in its issue, eminently promotive of the interests of Truth.

With a view to dispel the fears and remove the prejudices of the enemies to missionary efforts, many important documents were produced and laid on the table of the House of Commons, chiefly at the instance of Mr. Grant, such as

proofs of the prevalence of infidelity in different parts of India; of the impurities and atrocities of Juggernaut; and of the great extent of the worship of that idol; of the habitual falsehood and dishonesty of the Hindoos; and, on the other hand, of the long undisturbed existence of Christianity in some parts of India; lastly, Mr. Grant's own tract, intitled "Observations on the General State of Society among the Asiatic Subjects of Great Britain with respect to Morals, and on the means of improving it." This valuable paper was called for by the House of Commons, laid on its table, and ordered to be printed for the use of the members, on the 6th of June 1813. It commences with a review of the British territorial administration in the East, from the first acquisition of territory there. It then exhibits a true picture of the moral character of the Hindoos, supported and verified by a great body of evidence; extracted from the printed works of persons who had been in India; an examination of the causes of that character, which are traced in the religion or superstition of the people, as well as in their corrupt, unequal, and defective laws, and in the absurd prerogatives and duties of the native magistracy. In entering into the measures which Great Britain might adopt for the removal of these evils, and the improvement of the state of society in India, Mr. Grant refers to the introduction of our language as a circumstance arising almost necessarily out of our connexion with India, and which rendered extremely easy, if it did not carry along with it, the introduction of much of our useful literature, and particularly our sacred Scriptures. Towards

the last measure, with every more direct means of improvement; such as schools and missions, he considered it incumbent on the court of directors, to manifest at least a friendly aspect, and with respect to education, a co-operation. Mr. Grant fully answers the several objections which had been made to interference with the religion of Hindostan; and in concluding this valuable paper he makes the following powerful appeal to the British authorities in behalf of India:

“To rest in the present state of things, or to determine that the situation of our Asiatic subjects, and our connexion with them, are such as they ought to be for all time to come, seems too daring a conclusion; and if a change, a great change be necessary, no reason can be assigned for its commencement at any future period, which will not equally, nay, more strongly recommend its commencement now. To say, that things may be left to their own course, or that our European settlements may prove a sufficient nursery of moral and religious instruction for the natives, will be, in effect, to declare, that there shall be no alteration, at least no effectual and safe one.

“The Mahomedans, living for centuries intermixed in great numbers with the Hindoos, produced no radical change in their character; not merely because they rendered themselves disagreeable to their subjects, but because they left those subjects during that whole period, as uninstructed in essential points as they found them. We are called to imitate the Roman conquerors, who civilised and improved the nations whom they subdued; and we are

called to this, not only by the obvious wisdom which directed their policy, but by local circumstances, as well as by sounder principles and higher motives than they possessed. The examples also of modern European nations pass in review before us. We are the fourth of those who have possessed an Indian empire. That of the Portuguese, though acquired by romantic bravery, was unsystematic and rapacious; the short one of the French was the meteor of a vain ambition; the Dutch acted upon the principles of a selfish commercial policy; and these, under which they apparently flourished for a time, have been the cause of their decline and fall. None of these nations sought to establish themselves in the affections of their acquired subjects, or to assimilate them to their manners; and those subjects, far from supporting them, rejoiced in their defeat: some attempts they made to instruct the natives, which had their use; but sordid views overwhelmed their effects. It remains for us to show how we shall be distinguished from these nations in the history of mankind: whether conquest shall have been in our hands the means, not merely of displaying a government unequalled in India for administrative justice, kindness, and moderation, not merely of increasing the security of the subject and prosperity of the country, but of advancing social happiness, of meliorating the moral state of man, and of extending a superior light, further than the Roman eagle ever flew.

“If the novelty, the impracticability, the danger of the proposed scheme, be urged against it; these objections cannot all be consistent; and the last, which is the only one

that could have weight, presupposes success. In success would lie our safety, not our danger. Our danger must lie in pursuing, from ungenerous ends, a course contracted and illiberal; but in following an opposite course, in communicating light, knowledge, and improvement, we shall obey the dictates of duty, of philanthropy, and of policy; we shall take the most rational means to remove inherent great disorders, to attach the Hindoo people to ourselves, to ensure the safety of our possessions, to enhance continually their value to us, to raise a fair and durable monument to the glory of this country, and to increase the happiness of the human race."

On the 23rd July, 1813, the act of parliament, 53 Geo. III. c. 155, commonly called the Charter act, obtained the royal assent. It is well known that this statute, the fruit of much and laborious discussion, effected some considerable changes in the East India Company's commercial privileges, in which Mr. Grant could not concur; but, on the other hand, it contained three important modifications of the law, which were in perfect accordance with the sentiments and reasoning above detailed, and the attainment of which, there can be no doubt, ought in justice to be ascribed, in a considerable degree, to his zeal and exertions.

The first of these was an augmentation of the ecclesiastical establishment of British India, and the institution of a Bishop's See at Calcutta; the second, the privilege granted to European, teachers of christian morals, or missionaries, of enjoying a regulated access to the natives of India; and the last, the annual appropriation

of the sum of one lakh of rupees for the general promotion of education among them. These results appear to have been the fruit of a series of wise, persevering, and pious exertions, made by Mr. Charles Grant, with a view to promote and secure the highest honour and truest interests of Great Britain in India; viz. the consolidation of her empire there, by the improvement of the intellectual and moral character of her subjects.

The only parliamentary measures of a date subsequent to the passing of the Charter-act to which we shall advert, in consequence of the part Mr. Grant took in them, are, the India circuitous trade bill, which passed in December 1813, and the proposal to lay open the China trade, in 1820, 1821. From the former a clause allowing the Canaries, the Cape de Verd Islands, and the Island of Madeira, to be used as ports of refreshment, was at his instance struck out, in order that those places might not be made dépôts of India goods, to the prejudice of the Company. And Mr. Grant's exertions, in 1820 and 1821, for the defence of the Company's interests in their China trade, were incessant, and their issue successful. He had retired from the House of Commons on account of his advancing age in 1819. He was nevertheless examined, at his own request, upon this subject, before the Lords' committees, on the 6th and 13th July, 1820, and 26th February and 5th March, 1821, and before a committee of the House of Commons on the 16th and 17th April, 1821. The testimony which he gave upon these occasions was of considerable importance to the Company's interest; and it was

supported by documents collected and prepared by himself, or under his immediate superintendence. So completely did Mr. Grant's evidence, and that of the other members of the Court who were examined before the committee, rebut the allegations of the petitioners against the Company, that it is well known no report was made by the committee in the first session, and it is equally certain that to this moment the projected innovation on the China trade remains unaccomplished; while the historical narratives, and able calculations, which he presented to parliament, stand uncontradicted upon its records, for the future refutation of any erroneous allegations which may be made by parties opposed to the Company in this branch of their traffic.

Mr. Grant's correspondence and intercourse were unusually extensive, and with persons of the first rank and consideration. Upon almost all occasions he received the fullest proofs of public as well as of private confidence, and upon many, expressions of unusual respect. The opinion of lord Cornwallis respecting him, at an early period of his public life, has been already adverted to. It is also generally understood that lord Melville, while president of the board of commissioners for affairs of India, not only recommended him to the choice of the proprietors of India stock, but afterwards invited him to become a member of the Bengal council, which he declined, from motives the most disinterested and patriotic. The proprietors of India stock have themselves given him some tokens of their special favour. Very soon after they had placed him in the Direction, they suspended one of

their own bye-laws, to enable him to retain a commercial establishment which he had formed in India. In April 1807 they placed him in the Direction by a very unusual majority of votes, Mr. Grant's name standing at the head of a list of 12 candidates, with 1,823 votes out of a proprietary of less than 1,900 persons: and since his decease, viz. on the 17th inst. they have resolved to commemorate his distinguished services by the erection of a monument at the Company's expense, in St. George's Church, Bloomsbury.

The House of Commons, in which he sat for about 17 years, viz. from 1802 to 1819, (being two years for the town, and fifteen for the county of Inverness), repeatedly elected him on committees, some of which were not connected with India affairs. He was appointed by act of parliament (37 Geo. 3, cap. 34, sect. 6.) one of the commissioners for the issue of Exchequer bills, and in 1818 was elected chairman of those commissioners. He was also included in the commission for the appropriation of the sum of £1,000,000 sterling, granted by parliament for the erection of new Churches.

Among many private testimonies to his worth, it may be sufficient to refer to two, given by political opponents. The late sir Philip Francis, at the close of a debate on India affairs, in which he had been decidedly opposed to Mr. Grant, declared, that no man in England had a higher opinion of his moral character than he had. "Upon the facts in question," sir Philip added, "there cannot be a more competent witness, nor any human evidence less to be suspected." Another opponent, Mr. Scott Waring, declared

that Mr. Grant was "incapable of asserting what he did not believe to be true, or of delivering his sentiments on a subject which he did not understand."

Although Mr. Grant ever considered the affairs of India as his peculiar province, and as sufficient occupation for his mind, he allowed himself to have some other public engagements; but chiefly in connection with religious or benevolent objects. He was for many years a Director of the South Sea Company. He was a member of the Society in London for promoting Christian Knowledge, as well as of another society of the same name connected exclusively with the Highlands and Islands of Scotland. He was elected a vice-president of the British and Foreign Bible Society upon its institution, in 1804, and was at different subsequent periods chosen vice-president of the Bloomsbury and north-east London Auxiliary Societies. He was also connected with the Church Missionary Society. To many other associations, of a religious or charitable description, he afforded the sanction of his name and the aid of his contribution.

He joined his friend Mr. Wilberforce, in 1807, as a member of the temporary committee of gentlemen then associated with a view to the establishment of the African Institution. To their labours and efficiency he essentially contributed and was afterwards chosen one of the Directors.

As a public speaker Mr. Grant commanded attention in debate by an erect, majestic, and, in the latter years of his life, venerable figure, by a voice deep and sonorous, an enunciation clear and deliberate, and above all, by argu-

ments perspicuous and convincing. He accustomed himself to deliver his sentiments with gravity, and appeared to expect the same temper in his auditory. His style in writing corresponded with that of his eloquence. Cautious and deliberative in the examination of his authorities, his references to written or printed documents were generally unanswerable. As a friend, he was ardent and constant. In no part of his conduct was the firmness of his mind more apparent than in the inviolability of his friendships. To the numerous individuals who enjoyed his patronage, he was always accessible, and frank in his communications; and his kindness to them rarely terminated with a single instance. As a Philanthropist, and more especially as a Christian, Mr. Grant is entitled to the praise of eminent consistency and zeal. The decision of his character respecting religion enabled him often to surmount such opposition to his benevolent projects as would have overturned the purposes of many other men. But Mr. Grant, to the last moment of his life, retained, and illustrated in his conduct, the religious principles and philanthropical views which he had imbibed in India.

The great subjects of Christian benevolence were ever present to his understanding, and near his heart, and appeared to have a powerful influence upon his actions, leading him, in the prosecution of his multifarious occupations, to travel in paths into which the ordinary details of business would never have led him. Under some aspect or other they were almost constantly before him, and are believed to have occupied his close attention within a few days, and

probably within a few hours of his decease.

He was a man of extraordinary endowments, employing his great powers to the best of purposes; a

man of whom it may be truly said that while he was laborious in the affairs of this life, "all his serious thoughts had rest in heaven."

BIOGRAPHICAL MEMOIR of CHARLES-FRANCIS-DUPERIER DUMOURIES.

CHARLES - François - Duperier Dumouries, who died this year on the 14th of Marchat Turville-park, near Henley-upon-Thames, in his 85th year, was born Jan. 25, 1739, of parents not affluent, although noble. His father, the translator of "*Richiardetto*," bestowed on his son a very careful and extensive education. After his classical education, in which he had been very successful, he entered the army; where, at the age of 18, he became a soldier, and made his first campaign against the same duke of Brunswick, whom, in 1792, he drove from the territory of France. He distinguished himself in several attacks, and was at last taken prisoner; but not till he was covered with wounds, and had lost his horse.

At the age of twenty-two he had advanced to the rank of captain; possessed the cross of St. Louis, and had received twenty-two wounds.

On peace being made in 1763, he began his travels, to study the languages and manners of different nations. He travelled in Italy, Belgium, Spain, and Portugal; and published a work, intitled, "*Essay on Portugal*," after which he returned to Paris 1767; where he was named *aide-maréchal-general* of the army destined to invade Corsica. Having served with reputation in the two campaigns of 1768, and 1769, he was raised to the rank of colonel.

In 1770, the duke de Choiseul appointed him minister to the confederates of Poland; and he commanded a body of men in that country during two campaigns, and conducted several very important negotiations with various success. As the measures of the confederates were ill-concerted, their revolution was unfortunate and ended in the partition of Poland.

In 1772, the marquis of Monteynard, minister of war, employed him to correct and revise the military code of laws: at the end of the same year this minister, by the express order of Louis 15th, entrusted him with the management of a secret negotiation relative to the revolution of Sweden; but having received his instructions on this affair immediately from the king himself, and unknown to the duke D'Aiguillon, minister of foreign affairs, who had succeeded the duke de Choiseul, at the change of ministry, he was arrested at Hamburgh in 1773, and conducted to the *bastille* by the orders of that minister. The irresolute Louis 15th yielding to the importunities of madame du Barry, his mistress, and the duke D'Aiguillon, disgraced Monteynard, forbore to inform the duke of the authority he had given him to negotiate, and suffered him to bear the weight of a criminal prosecution, which the duke D'Aiguillon, suspecting the truth, feared to carry to extremity. He rejected

offers of friendship and protection made him by this despotic minister, and after lying six months in the Bastille, he was banished to the Castle of Caen for three months.

Louis 15th died soon after ; and D'Aiguillon was disgraced. General Dumouriez had no inclination to take advantage of the expiration of the *lettre de cachet*, for the purpose of regaining his liberty ; he was anxious to be completely justified, and therefore petitioned Louis 16th to order a revision of his trial. The king having commanded M. du Muy, M. de Vergennes, and M. de Sartine to revise the trial, those three ministers signed a declaration, that he had been unjustly prosecuted. Immediately afterwards he was sent to Lisle, in his rank of colonel, to make a report respecting the new military manœuvres which the baron de Pirsch had brought from Prussia. He had also a commission to examine a plan for improving the navigation of the river Lys, and another plan of forming a harbour in the channel at Ambleteuse. These employments occupied the latter end of the year 1774, and the whole of 1775.

In 1776, he was joined in a commission with the chevalier D'Oisy, captain of a man of war, and colonel la Rozière, one of the ablest engineers in Europe, to determine on a proper place in the channel for the construction of a naval port. He passed the year 1777, in the country twenty leagues from Paris. At the end of that year he was invited to Paris by M. de Montbarey, minister of war, on account of the rupture between England and her colonies, which he had long predicted.

In 1778, he procured the office of commandant of Cherbourg to

be revived and given to him. Being persuaded that Cherbourg was better calculated than any other place in the channel for a national harbour, and being aided by the zeal, activity, and influence of the duke d'Harcourt, governor of the province ; he obtained a decision, in favour of Cherbourg, of a question that had been agitated during a hundred years, concerning the preference to be given to Cherbourg or La Hogue, for the site of a naval port. From that time till 1789, he was occupied in superintending the works of Cherbourg ; and, during that period, he was but three times at Paris. When he first arrived at Cherbourg, it contained no more than seven thousand three hundred inhabitants, and when he quitted it, they amounted to nearly twenty thousand.

At the commencement of the revolution he stayed much evil, in the place where he commanded. At Cherbourg the excesses of the populace were punished by him with death ; but still he could not be accused of being inimical to the liberty of the people.

The military governments of towns in France being suppressed, he went to Paris, where, during two years, he studied the influence and character of the Revolution.

In 1791, he was appointed to the command of the country from Nantes to Bourdeaux. At that period a religious war raged in La Vendée, and the people laid waste the castles and lands of the nobility. He had the good fortune to calm the minds of the people, and to preserve tranquillity in that country till the month of February 1792, when he was recalled to Paris, was raised to the rank of

Lieutenant-general, and appointed minister of foreign affairs.

At the end of three months, finding himself embarrassed by the various factions, and being sincerely desirous to see the king's council possessing proper dignity, and his measures governed by constitutional principles, he changed the ministry and obtained a promise that the king would sanction two decrees which appeared expedient to his service. The king would not grant him his permission; the ministry was again changed by his order, and general Dumouriez took the war department. But, soon perceiving that the court had deceived him, he resolved not to be the instrument of their intrigues; and gave in his resignation three days after being appointed minister of war.

Louis was two days before he would accept of his resignation, and he did not suffer him to depart without expressing the deepest regret.

One month had not elapsed after the departure of the minister, for the army, before the king was insulted; and, at the end of the second month, he was a prisoner in the Temple!

The enemy entered France; the leaders of the revolution revenged themselves on the unfortunate Louis. Dumouriez, as a citizen and a general, had only to repulse the enemy, in the expectation that their retreat would lessen the danger which surrounded the king. There was still reason to think, that the excesses of the revolutionists might be checked. Dumouriez refused to follow Lafayette's premature example, and he succeeded him in the command of the army of the north. He marched with a few soldiers against

the Prussian army, of almost 100,000 men strong, and by the most expert manœuvres, arrested their march, took their strongest positions, and wrote to the assembly, "Verdun is taken: I wait for the Prussians. The defiles of the Argonne are the Thermopylæ of France; but I shall be happier than Leonidas." In truth, in a very few days the invaders had fled.

The genius of Dumouriez changed in this campaign the destinies of France and of Europe.

His prudence had obtained him the victory almost without a combat, and Dumouriez flew to oppose other enemies, and to display a very varied talent. On the plains of Jemappes he gained a decisive victory, and the standards of France soon floated over all Belgium.

After these events, general Dumouriez returned to Paris, where the trial of Louis 16th had already commenced. He had little doubt of saving Louis 16th. He had sent a certain number of his officers to Paris, to facilitate this design, and depended on the co-operation of a part of the Assembly, and of the population. All his expectations deceived him; and Louis 16th perished.

The general retired to the country during these horrible days; and, soon after, found no place of safety but at the head of his army. He had now no hope of saving his country from the monsters who governed. His army was alone capable of bringing back the revolution to its proper limits. But the Convention had ascertained the intentions of general Dumouriez, and though they dared neither to dismiss him, nor to accept of his resignation, which he offered again and again. They endeavoured to des-

stroy the love his troops bore to him, as well as their confidence in him. The commissariat supplies failed—the invaded provinces were exhausted—all his resources diminished—in order to encourage insubordination, and to prepare for the overthrow of this general, whose renown was alarming. These measures were put into execution with such effect, that, in spite of the most prudent precautions and most useful combinations, Dumouriez failed in a campaign, which was the last, and might have been the most important.

General Dumouriez hastened to treat with the prince of Coburg for the evacuation of Belgium, and very soon after obliged him, by a new treaty, to respect the French territory; whilst he himself determined to lead his soldiers to the capital, to disperse its tyrannical legislators, to save the family of the unfortunate monarch, and to re-establish the constitution of 1791. The anarchy of the government was to be reformed by Frenchmen alone; and it was only in case of Dumouriez's want of sufficient forces, that, at his demand, the prince of Coburg was to furnish what he should require, while the remainder of the army of the enemy should remain on the frontiers.

The Convention being instantly informed of all, by some of the officers, summoned the general to their bar, and sent police officers to arrest him. He determined upon arresting the police officers himself, and delivered them up to the prince of Coburg, as hostages and guarantees for the safety of the royal family.

General Dumouriez issued his orders; but many of his generals neglected to execute them, and

some even refused. The army, to which the Convention had sent its spies, was carried away; the general was obliged to leave them, and to take refuge at the head quarters of the enemy.

Afterwards he found an asylum in Switzerland, and there published a volume of his "Memoirs," which soon obtained him many friends: but Switzerland was too near to France, and was about to yield to the latter. The general was obliged to fly: he went to Hamburg. The Landgrave Charles of Hesse-Cassel, father-in-law of the king of Denmark, bought an estate in Holstein, of which he was the governor; furnished it, placed horses and a carriage in the stables, and went in search of his friend; whom he conducted to this retreat. "This is yours," said he, "I am sorry it is not in my power to offer you more than a pension of 400 louis!"

England was his last home, where the government received him with generous hospitality. An illness of a few days, unaccompanied with pain—a rapid physical decline, which did not impair his fine understanding, or his generous spirit—bore him away, in the midst of religious consolations, from the cares of his friends already become his children. On the day of his death he rose at eight o'clock; as usual he lay down at twelve, at the desire of his medical attendant; and breathed his last at twenty-five minutes past two.

He was short in stature, but well formed; his countenance was agreeable; his eyes sparkling with brilliancy even to the last; he was full of kindness and gaiety, and his mind was enriched with varied and extensive knowledge; he under-

stood and spoke several languages; his spirit was most generous, so generous as often to cause his embarrassment: and his sensibility often found vent in tears when calamity was reported to him, and when he was severed from a friend. He had many friends: one of the dearest died three years ago, and not a day since had he failed to weep for him—he spoke of Edward continually. He was the duke of Kent; and now they are reunited!

This most extraordinary man stood at one period of his life on the very pinnacle of triumphant

glory. His feats as a warrior fill some splendid pages of modern history; his name was a charm which gathered round it all the enthusiasm of millions; and he died in exile, as if to contrast the clamorous noise of popularity which accompanied his early career, with the calm stillness of solitude which surrounded his bed of death. His temper was singularly frank and generous; his affections warm and cordial; his conversation full of strength and spirit, diversified with a variety of knowledge, and remarkable discrimination of character.

SAVARY'S ACCOUNT *of the DEATH of the DUC D'ENGHIEN.*

THE memoirs of the duke of Rovigo (general Savary), formerly minister of police under Buonaparte, have been published the present year. The person, who was supposed to have most reason to dread the appearance of this work, was Talleyrand. It has been said, that he waited on Louis 18th, and begged of him to interfere to prevent the publication. His majesty sent for Savary, and asked a sight of his manuscript, which, after having carefully perused it, he returned to the author, with the observation that he saw no reason for withholding the statements from the public. These memoirs disprove, as far as they deserve credit, the imputations cast on himself and Buonaparte respecting the death of the duke of Engghien, and leave, by implication, the odium on Talleyrand. The circumstance, which induced Buonaparte to order a party of troops to Ettenheim to arrest the duke, is said to have been the supposition, that he had been in Paris, and en-

gaged in the plot with Georges, Cadoudel, and others. One of the conspirators had stated in his examination, that a person, to whom the greatest respect was shown, often appeared among them. The duke d'Engghien was believed to be this mysterious personage; and the object of his arrest is alleged to have been, to ascertain that fact by bringing him to Paris, and confronting him with the persons who had been examined. It turned out at last, that the person, to whom so much respect was paid, was Pichegru. Savary had nothing to do with the expedition to Ettenheim. He had just returned from a mission in Normandy, when the prince was brought to Paris. Buonaparte sent for him to Malmaison, and made him the bearer of a letter to Murat, who was then governor of Paris. Talleyrand, the minister for foreign affairs, was just leaving Murat's hotel as Savary entered. Murat, after reading the letter, told Savary to hold himself in readiness for orders, which would

be transmitted. He did in fact receive orders to repair at 10 o'clock that night with a brigade of infantry to Vincennes. It was not until he arrived at this destination that his orders had any relation to the duke d'Enghien. The members of the military commission had assembled in the great hall of the palace. The doors were open, and any one who pleased might have entered. The prince was in the presence of the commission when Savary arrived, and was speaking warmly to his judges. When pressed for an explanation respecting his intentions, he said, "I had proposed to the English government to take service in its army, and was answered that it could not be given me, but that I ought to stop on the Rhine, where I would soon have a part to perform, and I did stop there. I have nothing more to say." When the proceedings were concluded, the hall was cleared, and the commissioners continued in deliberation; after which the sentence was pronounced. The officer, who commanded the infantry of Savary's legion, then informed him that he was required to furnish a piquet for the execution of the sentence. The piquet was accordingly supplied, and the reason the fosse of the castle was selected for the sanguinary transaction was, that there was the least chance of any other person than the victim being wounded. After the execution Savary proceeded to Paris. Near the barrier, he met M. Real, on his way to Vincennes, and in his costume of councillor of state. Savary asked him, whither he was going? He replied, that he had received orders to go to Vincennes to interrogate the duke d'Enghien.

Savary told the councillor of state what had happened, and they were mutually astonished. The circumstance of meeting Talleyrand at Murat's now struck Savary very forcibly, and excited his suspicion of some intrigue. He hastened to Malmaison, to inform the first consul of what had taken place. Buonaparte could not conceive it possible, that the trial and condemnation could have taken place before the arrival of M. Real. He observed that Real was ordered to examine the duke on a point which it was important to clear up, and concluded by saying—"Here is a crime which leads to nothing, and which tends only to render me odious." Thus the great object in seizing the duke d'Enghien, to ascertain, whether he was the mysterious personage who had appeared in Paris, was disappointed. Savary says that he was not to have been put upon trial until he was recognized upon being confronted with the parties implicated in the conspiracy; but it was not until after the execution, that Pichegru was discovered to be the person alluded to by the witnesses. M. Real also had a conference on the subject at Malmaison, and to him Buonaparte expressed regret at the event, and indignation at the conduct of Talleyrand. Nevertheless, it was thought prudent to keep secret the circumstances of this extraordinary case. The sentence of the military commission was inserted in the "Moniteur," without any explanation. Whether this was done from pride, or that it should not appear to Europe, at the moment a new war was about to commence, that the germs of discord existed in the country, Savary does not pretend to determine.

SECRETARY DAVISON'S ACCOUNT of what passed between **QUEEN ELIZABETH** and him concerning the **EXECUTION** of **QUEEN MARY**, from the signing of the Warrant. Feb. 20, 1586.

[Taken from the Cottonian MS. and published in Harris's Life of Davison.]

AFTER that the sentence against the Scottish queen was passed, and subscribed by the lords and others the commissioners appointed to her trial, and that her majesty had notified the same to the world by her proclamation according to the statute, there remained nothing but her warrant under the great seal of England, for the performing and accomplishing of her execution, which after some instance as well of the Lords and Commons of the whole parliament then assembled, as of others of her council and best affected subjects, it pleased her majesty at length to yield unto, and thereupon gave order to my lord treasurer to project the same, which he accordingly performed, and with her majesty's privy left in my hands to procure her signature; but by reason of the presence of the French and Scottish ambassadors, then suitors for her life, she forebore the signing thereof till the first of February, which was some few days after their departure home. At what time her majesty upon some conference with my lord admiral of the great danger she continually lived in, and moved by his lordship to have some more regard, to the surety of herself and state than she seemed to take, resolved to defer the said execution no longer; and thereupon gave his lordship orders to send for me to bring the warrant unto her to be signed, which he forthwith did by a messenger of the chamber, who found me in the park (whither I had newly gone to take the air), whereupon, returning back immediately with him, I went di-

rectly up into the privy-chamber, where his lordship, attending my coming, discoursed unto me what speech had passed that morning betwixt her majesty and him, touching the justice against the said Scottish queen; and finally told me how she was now fully resolved to proceed to the accomplishing thereof, and had commanded him to send expressly for me to bring the warrant unto her to be signed, that it might be forthwith dispatched and deferred no longer. According to which direction, I went immediately to my chamber to fetch the said warrant and other things touching her service; and returning up again, sent in Mrs. Brooke to signify my being there unto her majesty, who presently called for me. At my coming in, her highness first demanding of me whether I had been abroad that fair morning, advising me to use it oftener, and reprehending me for the neglect thereof, with other like gracious speeches, arguing a care of my health, finally asked of me what I had in my hands? I answered, divers warrants and other things to be signed that concerned her service. She enquired whether my lord admiral had not given me order to bring up the warrant for the Scottish queen's execution? I answered yes; and, thereupon, asking me for it, I delivered it into her hands, after the reading whereof, she, calling for pen and ink, signed it, and laying it from her, demanded of me whether I were not heartily sorry to see it done? My answer was, that I was so far from

taking pleasure in the calamity or fall of any, or otherwise from thirsting in any sort after the blood of this unhappy lady in particular, as I could not but be heartily grieved to think that one of her place and quality, and otherwise so near unto her majesty, should give so great cause as she had done to take this resolution. But seeing the life of that queen threatened her majesty's death, and, therefore, this act of hers, in all mens opinions, of that justice and necessity, that she could not defer it without the manifest wrong and danger of herself and the whole realm, I could not be sorry to see her take an honourable and just course of securing the one and the other, as he that preferred the death of the guilty before the innocent; which answer her highness approving with a smiling countenance, passed from the matter to ask me what else I had to sign, and, thereupon, offering unto her some other warrants and instructions touching her service, it pleased her, with the best disposition and willingness that might be, to dispatch them all. After this she commanded me to carry it to the seal, and to give my lord chancellor special order from her to use it as secretly as might be, lest the divulging thereof before the execution might, as she pretended, increase her danger. And in my way to my lord chancellor her pleasure also was, that I should visit Mr. Secretary Walsingham, being then sick at his House in London, and communicate the matter with him, because the grief thereof would go near (as she merrily said) to kill him outright, where, taking occasion to repeat unto me some reasons why she had deferred the matter so long, as namely, for her

honour's sake, that the world might see that she had not been violently or maliciously drawn thereto, she concluded that she never was so ill advised as not to see and apprehended her own danger, and the necessity she had to proceed to this execution. And thereupon (after some intermingled speech to and fro), told me that she would have it done as secretly as might be, appointing the hall where she was for the place of execution; and misliking the court, or green of the castle for divers respects, she alleged, with other speech to like effect; howbeit, as I was ready to depart, she fell into some complaint of sir Amias Paulet and others, that might have eased her of this burthen, wishing that Mr. Secretary and I would yet write unto both him and sir Drue Drury, to sound their disposition in that behalf. And albeit I had before excused myself from meddling therein, upon sundry her majesty's former motions, as a matter I utterly prejudged, assuring her that it should be so much labour lost; knowing the wisdom and integrity of the gentlemen, whom I thought would not do so unlawful an act for any respect in the world; yet finding her desirous to have the matter attempted, I promised, for her satisfying, to signify this her pleasure to Mr. Secretary, and so for that time leaving her, went down directly to my lord treasurer, to whom I did communicate the said warrant signed, together with such other particulars as had passed at that time betwixt her highness and me. The same afternoon I waited on my lord chancellor for the sealing of the said warrant, according to her majesty's direction, which was done between the house of four and five, from

whence I returned back unto Mr. Secretary Walsingham, whom I had visited by the way, and acquainted with her pleasure, touching letters that were to be written to the said sir Amias Paulet and sir Drue Drury, which at my return I found ready to be sent away. The next morning about ten of the clock, being in London, Mr. William Killegrew came unto me from her majesty with this message, that if I had not been with my lord chancellor, I should forbear to go unto him till I had spoken again with herself; but that message coming out of season, I returned him back with this general answer, that I would be at the Court as soon as himself, and give her majesty an account what I had done. At my coming to her, she demanded of me whether the warrant were passed the seal? I told her yes. She asked what needeth that haste? I answered, that I had therein made no more haste than herself commanded, and my duty in a case of that moment required, which as I take it was not to be dallied with. But me thinketh, saith she, that it might have been otherwise handled for the form, naming unto me some that were of that opinion, whose judgments she commended. I answered, that I took the honourable and just way to be the safest and best way, if they meant to have it done at all; whereto her majesty replying nothing, for that time left me and went to dinner. From her I went down to Mr. Vice-chamberlain, with whom I did communicate the said warrant, and other particulars that had passed betwixt her highness and me, touching the dispatch thereof, where, falling into a rehearsal of some doubtful speeches of hers,

betraying a disposition to throw the burthen from herself, if by any means she might, and remembering unto him the example of her dealing in the case of the duke of Norfolk's execution, which she had laid heavily upon my lord treasurer for a long time after; and how much her disavowing of this justice was more to be feared, considering the timorousness of her sex and nature, the quality of the person who it concerned, and respect of her friends, with many other circumstances that might further and incline her thereto, I finally told him that I was for mine own part fully resolved, notwithstanding the directions that I had received, to do nothing that might give her any advantage to cast a burthen of so great weight upon my single and weak shoulders; and, therefore, having done as much as belonged to my part, would leave to him and others as deeply interested in the surety of her majesty and the state as myself, to advise what course should now be taken for accomplishing the rest; who, as near as I remember, gave me this answer, that, as he was heartily glad the matter was brought thus far, so did he for his own part wish him hanged that would not join with me in the furtherance thereof; being a cause so much importing the common safety and tranquillity of her majesty and the whole realm. And so, after some little speech, resolved to go together to my lord treasurer to confer thereof with his lordship, as we immediately did, and there agreed for the better and more honourable proceeding therein, to break the matter with the lords and others of her majesty's council, being as deeply interested in this care and duty as ourselves; and in

the mean time his lordship took upon him the charge to project the letters that should be written to the earls and others to whom the aforesaid warrant was directed. The next morning, having made a draught of them, he sent for Mr. Vice-chamberlain and me to impart the same unto us; upon the reading whereof, Mr. Vice-chamberlain finding them very particular, and such as in truth the warrant could not bear, shewed his dislike of them as he that seemed to doubt more than he discovered; whereupon his lordship offering to project others more general against the afternoon, it was resolved, in the mean time to warn the rest of the council, who within an hour after met at his lordship's chamber, where himself entering into the particulars of the said Scottish queen's offence, the danger of her majesty and the state, and necessity of this execution, and acquainting them with her highness's resolution in that behalf, for their better satisfying, wherein he read the said warrant itself unto them; he finally told the cause of their meeting at that present, was chiefly to advise of some such means as might be most honourable and expedient for the dispatch thereof; seeing her majesty had for her part performed as much as in any honour, law, or reason, was to be required at her hands; and after some little other speech of her doubted inclination to drive this burthen, if it might be, from herself, and every one willingly offering to bear his part in a matter so much importing the public safety of the whole state, both of religion and commonwealth; they finally resolved to proceed to the sending down thereof without troubling her highness any further

withal, as well in regard of her charge given to myself, to let her hear no more thereof till it was done, having otherwise performed as much as in any reason or law would be required of her, as is before remembered, as the dangerous consequence might else have grown thereof in case of her majesty, upon such a needless motion, should have fallen into any new conceit of interrupting and staying the course of justice, considering the malice of her enemies, and disposition of the time and state of things then, both abroad and at home, which they in no duty could neglect; and so resolving generally upon Mr. Beale as the fittest person they could advise of, to whom they might commit that charge, and who, being sent for the same morning, was then present, and approving the letters projected by my lord treasurer, appointed them to be written out fair against the afternoon, in the meantime went to dinner, and between one and two of the clock returned back to sign the said letters, addressed, with the warrant, to the lords and others the commissioners appointed in that cause, which in their presence were delivered unto Mr. Beale, with earnest request and motion to use the uttermost diligence and care he could in the expedition thereof, and so again departed. The next morning her majesty being in some speech with Mr. Rawleigh in the private chamber, seeing me come in, called me to her, and (as if she had understood nothing of these proceedings), smiling, told me how she had been troubled that night upon a dream she had, that the Scottish queen was executed, pretending to have been so greatly moved with the news against myself, as in that

passion she could have done I wot not what; but this being in a pleasant and smiling manner, I answered her majesty, that it was good for me I was not near her so long as that humour lasted. But withal, taking hold of her speech, asked her in great earnest what it meant, and whither, having proceeded thus far, she had not a full and resolute meaning to go through with the said execution according to her warrant. Her answer was yes, confirmed with a solemn oath in some vehemency; this only she thought that it might have received a better form, because this threw the whole burthen upon herself; whereto I replied, that the form prescribed by the warrant was such as the law required, and could not well be altered with any honesty, justice, or surety of those that were commissioners therein; neither did I know who could sustain this burthen if she took it not upon her, being sovereign magistrate, to whom the sword was committed of God for the punishment of the wicked, and defence of the good, and without whose authority, the life or member of the poorest wretch in her kingdom could not be touched. She answered, that there were wiser men than myself of other opinion. I told her I could not answer for other men, yet this I was sure of, that I had never yet heard any man give a sound reason to prove it either honourable or safe for her majesty to take any other course than that which standeth with law and justice, and so, without further replication or speech, we parted. The same afternoon (as I take it) she asked me whether I had heard from sir Amias Paulet, I told her no; but within an hour or two after going to London I met with

letters from him, in answer to those that were written unto him some few days before, upon her commandment. The next morning, having access unto her majesty upon some other occasion, I told her of the receipt of them, which her highness, desirous to see, took and read; but finding thereby that he was grieved with the motion made unto him, offering his life and all he had to be disposed at her pleasure, but absolutely refusing to be an instrument in any such action as was not warranted in honour and justice; her majesty, falling into terms of offence, complaining of the daintiness and (as she called it) perjury of him and others, who, contrary to their oath of association, did cast the burthen upon herself, she rose up, and after a turn or two went into the gallery, whither I followed her, and there renewing her former speech, blaming the niceness of those precise fellows (as she termed them), who in words would do great things for her surety, but in deed perform nothing, concluded that she could have well enough done without them. And here, entering into particularities, named unto me (as I remember) one Wingfield, who, she assured me, would, with some others, undertake it; which gave me occasion to shew unto her majesty how dishonourable (in my poor opinion) any such course would be, and how far from preventing the malice and danger which she so much sought to avoid. And so, falling into the particular case of sir Amias Paulet and sir Drue Drury, discoursed unto her the great extremity she would have exposed those poor gentlemen to, for if, in a tender care of her surety, they should have done that she desired, she must

either allow their act or disallow it; if she allowed it she took the matter upon herself, with her infinite peril and dishonour; if she disallowed it she should not only overthrow the gentlemen themselves, who had always truly and faithfully honoured and served her, but also their estates and posterities, besides the dishonour and injustice of such a course, which I humbly besought her majesty to consider of: and so, after some little digression and speech of Mr. Secretary and others, touching some things passed heretofore, her majesty, understanding it was time to go to the closet, rose up, and left me. At my next access unto her, which (as I take it) was the Tuesday before my coming from court, having occasion to wait upon her highness with certain letters that were to be signed, touching some difference between the lord deputy of Ireland and Mr. Fenton, her secretary there, she entered of herself into some earnest discourse of the danger she lived in, and how it was more than time this matter were dispatched, swearing a great oath, that it was a shame for us all that it was not already done, considering that she had, for her part, done all that law or reason could require of her; and thereupon made some mention to have letters written to sir Amias Paulet for the hastening thereof, because the longer it was deferred the more her danger increased. Whereto, knowing what orders had been taken by the lords in sending the commission to the earls, which I presumed she could not be ignorant of amongst so many as were partners therein, I answered that that needed not (as I conceived), the warrant being so general and sufficient as it was; to which her

majesty replied little else but that she thought sir Amias Paulet would look for it; and so brake off our speech at that time, which was the last I had with her majesty of this or any other matter whatsoever, to my remembrance. The next (Thursday) morning early, being, as I take it, the day before my coming from court, my lord treasurer sent for me and acquainted me with the news he had received by Henry Talbot of the said Scottish queen's execution, which (upon some conference had thereof with Mr. Vice-chamberlain and others) he thought it not fit to break suddenly to her majesty, and therefore concealed it from her all that day; which being nevertheless brought unto her that evening by other means, she would not at the first seem to take knowledge of it, but the next morning, falling into some heat and passion about it, sent for Mr. Vice-chamberlain, to whom she disavowed the said execution as a thing she never commanded or intended, casting the burthen generally upon them all, but chiefly upon my shoulders, because (as she pretended) I had, in suffering it to go out of my hands, abused the trust she reposed in me; whereupon my lords being that morning assembled at my lord treasurer's chamber, I was sent for unto them, and acquainted with her majesty's said offence and charge both against them and me; but having mine own conscience and themselves for witnesses of mine innocence and integrity in that behalf, did not at the first apprehend it. Howbeit, being advised by them all to absent myself for a day or two, and otherwise compelled thereto by an unhappy accident befallen unto me the day before, together with some

indisposition of my health at that time, I returned home, where the next news I heard was that her majesty had resolved to commit me to the Tower, which at the first seemed a matter very strange unto me, and such as I could by no means

believe, till my lord of Buckhurst came with order from her majesty to execute this her pleasure, which, by reason of my sickness, was deferred for two or three days, and afterwards, on the fourteenth of this month, accomplished.

TRAVELS, MANNERS, STATISTICS, &c.

CAPTAIN FRANKLIN'S *Journey to the Polar Sea.*

WHILE lieutenant Parry was exploring a passage across the Polar Sea towards the Pacific, our government conceived it might not only be serviceable to that intrepid navigator, but desirable for the benefit of geographical and hydrographical science, to ascertain the actual position of the mouth of the Copper-mine River and the line of the shores of the Polar Sea to the eastward of it. With this view, lieutenant (now captain) Franklin was recommended by the Lords of the Admiralty as a proper person to be employed on such a service; they, at the same time, nominated doctor Richardson, a naval surgeon, well skilled in natural history, Mr. Hood, and Mr. Back, two admiralty midshipmen (subsequently promoted to the rank of lieutenants), and two steady English seamen, to accompany him.

This little party embarked on board the Hudson's Bay Company's ship, *Prince of Wales*, the 23rd of May, 1819; and they reached Stromness, the 8rd of June, where four boatmen were engaged to as-

sist their progress up the rivers of America:—after a narrow escape from being wrecked on the rocky shores of Resolution Island beset with heavy ice, they arrived in safety at York factory on the shores of Hudson's Bay, on the 30th of August.

The journey into the interior commenced at York Fort, where the party embarked on the 9th of September, 1819; and they arrived at Cumberland House on the 22nd of October, the travelling distance by water being about six hundred and ninety miles. Late as the season was, captain Franklin determined not to remain here, but to set out on a long and perilous expedition of several hundred miles to Fort Chepewyan, near the western extremity of Athabasca lake; where, by his presence, he hoped to prevent delay in the necessary preparations for their ulterior proceedings. With this view, accompanied by lieutenant Back, on the 18th of January, 1820, he took leave of Dr. Richardson and Mr. Hood, who were to bring up their baggage in the spring; and after a

journey of 857 miles in the very depth of winter, the thermometer frequently at 40° , and sometimes more than 50° below zero, arrived safely, on the 26th of March, at the Fort.

Travelling in winter can only be performed on sledges, which are drawn by dogs, or by walking in snow-shoes. The settlers attach to the former a covering of leather to protect the lower part of the body, and when "beautified" with a little paint and a few trifling ornaments, the sledge assumes the name of *cariole*. Every traveller takes care to supply himself with a pair of snow-shoes, a blanket, hatchet, steel, flint, and tinder, and generally with fire-arms. In mounting his *cariole*, he puts on a large skin cloak with a hood, a fur cap, leathern trowsers and Indian stockings and moccasins. Three dogs will draw a weight, besides that of the sledge, of three hundred pounds, at the rate of two miles and a half an hour, or about fifteen miles a day, when the snow is hard frozen. To the inexperienced, the suffering occasioned by walking in snow-shoes appears to be dreadful.

"The miseries," says Lieutenant Hood, "endured during the first journey of this nature are so great, that nothing could induce the sufferer to undertake a second, while under the influence of present pain. He feels his frame crushed by unaccountable pressure, he drags a galling and stubborn weight at his feet, and his track is marked with blood. The dazzling scene around him affords no rest to his eye, no object to divert his attention from his own agonising sensations. When he rises from sleep, half his body seems dead, till quickened into feeling by the irritation of his

sores. But, fortunately for him, no evil makes an impression so evanescent as pain. The traveller soon forgets his sufferings, and at every future journey, their recurrence is attended with diminished acuteness."

On halting for the night, the first operation, in the Canadian phrase, is that of "flooring the hut." It consists in clearing away the snow, and covering the ground with pine branches, upon which the travellers spread their blankets, skins, cloaks, and coats. The sleeping place being thus arranged, the next step is, to send out parties to collect a sufficiency of wood to serve as fuel for the night; the fire is then allowed to be kindled, the sledges are unstowed, the dogs unharnessed, and the provisions hung upon the trees, out of the reach of these voracious animals. Supper is then cooked; the voyagers coil round the fire in the centre with their feet towards it; the dogs creep in among them wherever they can find a vacancy, receiving and communicating heat, and thus the whole party enjoy repose, without any other canopy than the heaven, even though the thermometer should be far below zero.

In journeys thus performed, the danger of the traveller is not so great from the severity of the cold, as from the risk of perishing for want of food. The servants of the North-west company are frequently obliged to set out in search of the hunting-parties of Indians, to receive the furs which they may have collected. A snow-storm arises; they lose all traces of them, miss their way, and are very often driven to the last resource of killing their dogs for food. The Indians themselves are

frequently reduced to the last extremity and even to death by famine. It would seem that they have either destroyed or frightened away those vast herds of the moose, the rein-deer, and the bison, which once frequented the wide plains over which the expedition passed; hitherto they had seen very few; and the fur-bearing animals are so scarce, that in the whole journey to the Polar Sea and back, one single habitation and one dam only of that industrious and ingenious creature, the beaver, were met with.

While captain Franklin and Mr. Back were travelling on foot and in sledges, in the manner described, to Fort Chepeywan, Dr. Richardson and Mr. Hood were not idle at Cumberland House; the one collecting objects of natural history, and the other making excursions among the Indians, joining in their hunting parties, and exercising his pencil on such subjects as might come before him. Of these Indians, called *Crees*, or *Kristeneaux*, by the French Canadians, Dr. Richardson says, the whole population, spread over an extent of 20,000 square miles, does not exceed five hundred. The hooping-cough and measles make fearful havoc among the children; spirituous liquors obtained at the company's posts, a precarious subsistence, and famine, destroy the adults. They are the victims of superstition, and the voluntary dupes of the more cunning of the tribe, who practise on their simple minds the arts of conjuration; and profess to avert evils and cure diseases, by the use of a drum, a rattle, and a sweating-house. The *Crees* are kind and hospitable while they have any thing to share either with friends or strangers:

when the winter sets in, when the beasts and birds scour away to the southward, and the lakes and rivers are bound up in frost, their provisions fail them, and they usually make towards some of the company's posts for that relief which they have neglected to provide for this season of calamity; many of them linger so long as to be unable to reach these posts, and fall a sacrifice to all the horrors of famine; and instances are not rare of their being reduced to feed upon the bodies of their own family, to prevent actual starvation.

The operation of tattooing is as universal among the *Crees* and more southerly Indians as in the Oriental islands; it is represented as extremely painful, being performed by running an awl under the cuticle, and then drawing a cord dipt in charcoal and water through the canal thus formed. "A half-breed," says Dr. Richardson, "whose arm I amputated, declared that tattooing was not only the most painful operation of the two, but rendered infinitely more difficult to bear by its tediousness, having lasted in his case three days."

There are another set of people, the offspring of those employed by the two companies as agents and clerks, and Indian or half-breed women. These *métifs*, or, as the Canadians term them, *bois-brûlés*, are a good looking people, apt to learn and willing to be taught, but hitherto their education has been wholly neglected. The males are consequently without principle and the females without chastity. Many of them are brought up and intermarry with the Indians. The girls at the forts are frequently wives at the age of twelve, and mothers before fourteen; instances

are not rare of a voyager taking to wife a child of ten years. No objection is ever made by the partners, or residents of the companies, to this and other criminal indulgence of the vices of their servants. These Canadian voyagers indeed have so little of moral feeling, that it is by no means unusual for one woman to be common to, and maintained at the joint expense of, two men; or to sell a wife for a season, or altogether, for a sum of money, generally inferior to the price of a team of dogs.

The Stone Indians, a tribe residing near the company's post of Carlton House, are described by captain Franklin as more prepossessing in their looks than the Crees, but addicted to thieving, and grossly and habitually treacherous. Their figure is good, their limbs well-proportioned, their countenances affable and pleasing, their eyes large and expressive, nose aquiline, teeth white and regular, forehead bold, cheek-bones rather high, the colour that of light copper, and their heads covered with a profusion of very black hair. They are generally at war with the neighbouring tribes, and never fail to take the scalps of their prisoners as trophies. They are the only tribe who abuse the rights of hospitality by way-laying and plundering the very guest who had been apparently received with kindness, and just departed from their tents. They are exceedingly expert with the bow, and very young boys will hit a mark at a considerable distance.

Their neighbours, the Chepewyans, with more unpromising features, are at least honest, but rude in their manners and extremely superstitious. One of the tribes

of these people was found in the most forlorn condition. They had destroyed every thing which they possessed, as a token of grief for the loss they had sustained in the prevailing sickness of measles, hooping-cough, and dysentery. "It appears," says captain Franklin, "that no article is spared by those unhappy men when a near relative dies; their clothes and tents are cut to pieces, their guns broken, and every other weapon rendered useless, if some person do not remove these articles from their sight." The following is a most extraordinary instance of the effects of superstition:

"The Northern Indians suppose that they originally sprang from a dog; and, about five years ago, a superstitious fanatic so strongly pressed upon their minds the impropriety of employing these animals, to which they were related, for purposes of labour, that they universally resolved against using them any more, and, strange as it may seem, destroyed them. They now have to drag every thing themselves on sledges. This laborious task falls most heavily on the women; nothing can more shock the feelings of a person, accustomed to civilized life, than to witness the state of their degradation. When a party is on a march the women have to drag the tent, the meat, and whatever the hunter possesses, whilst he only carries his gun and medicine case. In the evening they form the encampment, cut wood, fetch water, and prepare the supper: and then, perhaps, are not permitted to partake of the fare until the men have finished. A successful hunter sometimes has two or three wives; whoever happens to be the favourite, assumes authority over the

others, and has the management of the tent. These men usually treat their wives unkindly, and even with harshness; except, indeed, at the time when they are about to increase the family, and then they show them much indulgence. With all this they have a strong affection for their children."

As soon as the spring began to appear, Dr. Richardson and Mr. Hood set out to join their companions who had preceded them to Fort Chipewyan. It may readily be supposed, that the return of this season is, in such a dreary chilling climate, hailed with universal joy. The symptoms of its approach are unequivocal. About the middle of April flights of geese, ducks, and swans from the southward, indicate the breaking-up of the frost; gentle showers began to fall: the whole face of the country is deluged by the melted snow. In a few days the upper grounds are dry, and teem with the fragrant offspring of the new year. "There can scarcely be a higher gratification," says captain Franklin, "than that which is enjoyed in this country, in witnessing the rapid change which takes place in the course of a few days in the spring; scarcely does the snow disappear from the ground, before the trees are clothed with thick foliage, the shrubs open their leaves, and put forth their variegated flowers, and the whole prospect becomes animating." But it also brings its inconveniences, the first, and most annoying of which, are the clouds of huge full-grown mosquitoes, which bursting forth at once, incessantly torment the traveller to a degree unknown even in the tropical regions of the globe. In Mr. Hood's account of the journey from Cumberland house to Fort

Chipewyan, the misery inflicted by these creatures is thus described.

"We had sometimes before procured a little rest, by closing the tent, and burning wood, or flashing gunpowder within, the smoke driving the mosquitoes into the crannies of the ground. But this remedy was now ineffectual, though we employed it so perseveringly as to hazard suffocation; they swarmed under our blankets, goring us with their envenomed trunks, and steeping our clothes in blood. We rose at day-light in a fever, and our misery was unmitigated during our whole stay.—The food of the mosquito is blood, which it can extract by penetrating the hide of a buffalo; and if it is not disturbed, it gorges itself so as to swell its body into a transparent globe. The wound does not swell like that of the African mosquito, but it is infinitely more painful; and when multiplied an hundred fold, and continued for so many successive days, it becomes an evil of such magnitude, that cold, famine, and every other concomitant of an inhospitable climate must yield the pre-eminence to it. It chases the buffalo to the plains, irritating him to madness; and the rein-deer to the sea-shore, from which they do not return till the scourge has ceased."

Such a dreadful annoyance, against which there is no defence, added to the tormenting attacks of the horse-fly, or bull-dog, which as Mr. Hood says, carries off a portion of flesh at every dart which it makes, together with the small but not less formidable sand-fly, known in Canada by the name of the *brulot*, is even worse than travelling by winter and sleeping under the canopy of heaven, with the thermometer at 40° below

zero, in this most miserable of all countries.

The whole party, with their Indian hunters, having assembled at Chepewyan, set out on the 18th of July for the northward, in the hope that, before the season should expire, they might be enabled to fix their winter-quarters at the mouth of the Copper-mine River, and to avail themselves of the earliest period of the following spring to explore the coast of the Polar Sea to the eastward. But so great and so numerous were the difficulties experienced from the scarcity of provisions, and from the impediments in the navigation of the numerous rivers and lakes, on account of the rapids of the one and the shallows of the other, together with the frequent portages, that their progress was exceedingly slow and tedious: and they did not arrive at the spot where it was found necessary to hut themselves for the winter, and which was distant from Chepewyan about 550 miles, before the 20th of August. With regard to the interruptions from the portages, they became more frequent, and the dragging of the boats more fatiguing, in proportion as they advanced to the northward: and thus the sufferings of the people from want of sufficient sustenance were greatly aggravated. It not unfrequently happened that in one day they had to load and unload the canoes and to transport them and the baggage over five or six of these portages. We cannot, therefore, be surprized that men who, like the Canadian voyagers, live, when at the company's forts, entirely on animal food, the daily allowance of which is eight pounds to each man, should be disheartened, and exhibit symptoms of discontent and insubordi-

nation, when they found themselves reduced to one scanty meal a day of a few ounces of fish or deer's flesh; and, on some days, unable to procure any food at all. Their disobedience, however, was only transitory, and seems to have ceased with the occasion of it; their general conduct throughout this perilous and fatiguing expedition was highly praiseworthy. A fresh supply of food had invariably the effect of an immediate return of their usual good humour.

Captain Franklin had been anxious to arrive at the mouth of the Copper-mine River during the present season; but the small pools being frozen over so early as the 25th August, when the geese were observed to be passing to the southward, and other unequivocal symptoms of the approach of winter beginning to manifest themselves, he found it necessary to abandon the design. Indeed, the chief of the hunters declared that the attempt would be rash and dangerous, and that, as he considered the lives of all who went on such a journey would be forfeited, he neither would go himself, nor permit his people to accompany them. They were, therefore, compelled to content themselves for this season with making an excursion to the head of the Copper-mine River, in Point Lake, about sixty miles to the northward, merely to satisfy themselves of its size and position.

In the mean time, the Canadians were busily engaged in constructing a house for their winter residence, to which they gave the name of Fort Enterprise. It was situated on a rising ground on the bank of a river, and near a lake, surrounded with numerous trees of considerable size, some of the

pinces being from thirty to forty feet high, and two feet in diameter at the base. The banks of the river (to which they gave the name of Winter River) were also well clothed with trees of this description, and enlivened with a profusion of luxuriant mosses, lichens, and shrubby plants. The lat. of Fort Enterprise is $64^{\circ} 28'$, long. $118^{\circ} 6' W$. The last station of the North-west Company is Fort Providence, in lat. $62^{\circ} 17'$, long. $114^{\circ} 9' W$.

All hands were now employed in laying in a stock of provisions for the winter, consisting principally of rein-deers' flesh frozen, or dried partially by the fire and sun, then braised with stones and kneaded up with fat or suet into a paste, well known in North America by the name of *pemmican*. The rein-deer in this neighbourhood were fortunately abundant, being met with in herds from ten to a hundred; and captain Franklin says that, in walking out one day, he estimated the numbers seen by him at not fewer than two thousand. Before these animals began to migrate to the southward in search of a milder climate and better sheltered pastures, the hunters were enabled to procure about one hundred and eighty, which were converted into dried meat: to this they added about a thousand white fish, from two to three pounds each, and occasionally others of the salmon tribe, trout, pike, and red carp. But this stock of provision was barely sufficient for the winter's consumption of the party, including the multitude of Indians and their families who crowded to the rendezvous as soon as the winter had set in.

Not was this the worst. The
VOL. LXV.

whole of their ammunition was expended, and their packages of blankets, tobacco, and other articles of indispensable necessity had not come up from the southward. Mr. Back, therefore, volunteered to return to Fort Providence and, if necessary, to Chepewyan, to obtain such supplies as were absolutely necessary to enable them to proceed. He set out, accompanied by Mr. Wentzel, a clerk of the North-west Company, two Canadians, two Indians and their wives, on the 18th October. This journey on foot, in the depth of winter, as far as Chepewyan and back to Fort Enterprise, at which place Mr. Back arrived on the 17th March, is among the many instances of extraordinary exertion and determined perseverance which this expedition afforded. He thus concludes his interesting report:—"I had the pleasure of meeting my friends all in good health, after an absence of nearly five months, during which time I had travelled one thousand one hundred and four miles in snow-shoes, and had no other covering at night, in the woods, than a blanket and deer-skin, with the thermometer frequently at -40° , and once at -57° ; and sometimes passing two or three days without tasting food." We may add that, without this extraordinary exertion of Mr. Back, the expedition would not have been able to leave Fort Enterprise.

The party who remained at this spot were not much better circumstanced than Mr. Back had been, at least with regard to the severity of the cold.

"The weather, during this month (December)," says captain Franklin, "was the coldest we experienced during our residence in America. The thermometer sunk on one occasion to -57° ."

casion to 57° below zero, and never rose beyond 6° above it; the mean for the month was —29.7°. During these intense colds, however, the atmosphere was generally calm, and the wood-cutters and others went about their ordinary occupations without using any extraordinary precautions, yet without feeling any bad effects. They had their rein-deer shirts on, leathern mittens lined with blankets, and furred caps; but none of them used any defence for the face, nor did they need to do so. Indeed, we have already mentioned, that the heat is abstracted most rapidly from the body during strong breezes, and most of those who have perished from cold in this country, have fallen a sacrifice to their being overtaken on a lake or other unsheltered place, by a storm of wind. The intense colds were, however, detrimental to us in another way. The trees froze to their very centres, and became as hard as stones, and more difficult to cut. Some of the axes were broken daily, and by the end of the month we had only one left that was fit for felling trees. By intrusting it only to one of the party who had been bred a carpenter, and who could use it with dexterity, it was fortunately preserved until the arrival of our men with others from Fort Providence.

"A thermometer, hung in our bed-room at the distance of sixteen feet from the fire, but exposed to its direct radiation, stood, even in the day-time, occasionally at 15° below zero, and was observed more than once, previous to the kindling of the fire in the morning, to be as low as 40° below zero. On two of these occasions the chronometers, which during the night lay under Mr. Hood's and Dr. Richardson's

pillows, stopped while they were dressing themselves."

Mr. Back brought with him two Esquimaux interpreters whom he found at Fort Providence, where they had arrived from the neighbourhood of Chesterfield Inlet: their names were *Tallantewack* and *Heooteroock*—*Belly* and *Ear*—but they were commonly called Augustus and Junius—the former could speak a little English. Immediately on their arrival at Fort Enterprise, they set about building a snow house for their residence, which they maintained to be more warm and comfortable than the wooden one already erected. Having selected a spot on the river, where the snow was about two feet deep, and sufficiently compact, they commenced by tracing out a circle twelve feet in diameter. The snow in the interior of the circle was next divided with a broad knife, having a long handle, into slabs three feet long, six inches thick, and two feet deep, being the thickness of the layer of snow. These slabs were tenacious enough to admit of being moved about without breaking, or even losing the sharpness of their angles, and they had a slight degree of curvature, corresponding with that of the circle from which they were cut. They were piled upon each other, exactly like courses of hewn stone, around the circle which was traced out, and care was taken to smooth the beds of the different courses with the knife, and to cut them so as to give the wall a slight inclination inwards, by which contrivance the building acquired the properties of a dome. The dome was closed somewhat suddenly and flatly by cutting the upper slabs in a wedge-form, instead of the more rectangular shape of those below.

The roof was about eight feet high, and the last aperture was shut up by a small conical piece. The whole was built from within, and each slab was cut so that it retained its position without requiring support, until another was placed beside it, the lightness of the slabs greatly facilitating the operation. When the building was covered in, a little loose snow was thrown over it, to close up every chink, and a low door was cut through the walls with the knife. A bed-place was next formed, and neatly faced up with slabs of snow, which was then covered with a thin layer of pine branches, to prevent them from melting by the heat of the body. At each end of the bed, a pillar of snow was erected to place a lamp upon, and lastly, a porch was built before the door, and a piece of clear ice was placed in an aperture cut in the wall for a window.

During the dreary winter months, the officers of the expedition employed themselves in writing out their journals, constructing the charts of their route, calculating the results of their observations; and Messrs. Hood and Back in finishing their drawings. The people were chiefly engaged in seeking firewood. Captain Franklin gives the following sketch, as the usual routine of their life at Fort Enterprise:

"In the evenings we joined the men in the hall, and took a part in their games, which generally continued to a late hour; in short, we never found the time to hang heavy upon our hands; and the peculiar occupations of each of the officers afforded them more employment than might at first be supposed. I re-calculated the observations made on our route; Mr. Hood protracted the charts, and made

drawings of birds, plants, and fishes. Each of the party sedulously and separately recorded their observations on the aurora, and Dr. Richardson contrived to obtain from under the snow specimens of most of the lichens in the neighbourhood, and to make himself acquainted with the mineralogy of the surrounding country.

"The Sabbath was always a day of rest with us; the woodmen were required to provide for the exigencies of that day on Saturday, and the party were dressed in their best attire. Divine service was regularly performed, and the Canadians attended, and behaved with great decorum, although they were all Roman catholics, and but little acquainted with the language in which the prayers were read. I regretted much that we had not a French Prayer-book; but the Lord's prayer and Creed were always read to them in their own language.

"Our diet consisted almost entirely of rein-deer meat, varied twice a week by fish, and occasionally by a little flour, but we had no vegetables of any description. On the Sunday mornings we drank a cup of chocolate; but our greatest luxury was tea (without sugar), of which we regularly partook twice a day. With rein-deers' fat, and strips of cotton shirts, we formed candles; and Hepburn acquired considerable skill in the manufacture of soap, from the wood-ashes, fat, and salt. The formation of soap was considered as rather a mysterious operation by our Canadians, and, in their hands, was always supposed to fail, if a woman approached the kettle in which the ley was boiling. Such are our simple domestic details."

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The Copper Indians are described as nearly the same with the Chipe-wyans; kind and benevolent in disposition, and capable of strong attachments. In the long journey of Mr. Back, whenever they caught a fowl or a fish, they brought it to him, nor would they partake of it till he had satisfied his hunger, though they had probably not tasted food for a couple of days. "It was a satisfaction to me," says this officer, "to behold these poor creatures enjoying themselves; for they had behaved in the most exemplary and active manner towards the party, and with a generosity and sympathy seldom found even in the more civilized parts of the world; and the attention and affection which they manifested towards their wives, evinced a benevolence of disposition and goodness of nature, which could not fail to secure the approbation of the most indifferent observer." Captain Franklin gives an amusing instance of their simplicity. The old chief had a daughter, who was considered the greatest beauty in the whole tribe, and so much the object of contest among her countrymen, that although under sixteen years of age she had belonged to two husbands successively. Mr. Hood drew her portrait, much to the annoyance of her aged mother, who was exceedingly afraid, she said, that her daughter's beauty would induce the great chief who resided in England, to send for the original, after seeing the likeness.

It was not before the 14th of June, that the Indians considered the ice to have sufficiently broken up in the Copper-mine River, to admit of its being navigated by canoes. By this time their stock of provisions was pretty nearly exhausted, and it became evident

that, as they proceeded down the river, their future subsistence must depend on the success of the hunters; these hunters, however, as the time of departure approached, began to manifest a decided reluctance to proceed. It appeared, upon inquiry, that a Mr. Weeks, a clerk of the North-west Company, had been tampering with them, misrepresenting the object of the expedition, and the character of the officers employed. It was with the utmost difficulty the unfavourable impressions thus created on the minds of the Indians, were removed; and even after this had been done, the dread of the Esquimaux furnished another obstacle to their proceeding. At length, however, all difficulties being surmounted, the whole party proceeded to the Copper-mine River; which, like all those which they had hitherto navigated, was full of rocks, rapids and shoals, and in many places bridged with large masses of ice. The grassy plains on either side, however, abounded with game, particularly with that singular little animal known by the name of the musk ox, of which they killed a great number, but all of them lean, and the flesh by no means palatable.

The herds of deer and musk oxen attract great numbers of bears and wolves. The latter is a gregarious animal, and so sagacious, as rarely to be caught in any kind of trap. Inferior in speed to the moose and rein-deer, these creatures are said to have recourse to a stratagem which seldom fails to succeed, in places where extensive plains are bounded by precipitous cliffs.

"Whilst the deer are quietly grazing, the wolves assemble in great numbers, and, forming a

crescent, creep slowly towards the herd so as not to alarm them much at first, but when they perceive that they have fairly hemmed in the unsuspecting creatures, and cut off their retreat across the plain, they move more quickly, and with hideous yells terrify their prey and urge them to flight by the only open way, which is that towards the precipice; appearing to know, that when the herd is once at full speed, it is easily driven over the cliff, the rearmost urging on those that are before. The wolves then descend at their leisure, and feast on the mangled carcasses."

This stratagem was attempted on Dr. Richardson, when sitting rousing one evening, on the summit of a precipice, overlooking the Copper-mine River. Hearing an indistinct noise, behind him, he looked round and perceived nine white wolves advancing towards him in a crescent, evidently with the intention of driving him down the steep; but on his rising and walking towards them, they readily made an opening and let him pass: a poor deer, which was hemmed in at the same time, less bold or less fortunate, was shortly afterwards driven over the precipice.

On arriving at the Copper mountains, near the foot of which the river flows, the canoes stopped, to allow a party to land and go in search of copper. The height of these mountains is said to be from 1,200 to 1,500 feet. In the valleys were small rivulets, in the beds of which were found several pieces of native copper and various copper ores. These places are still frequented by the Esquimaux, for the purpose of picking up pieces of this metal; but the annual visits of the Copper Indians have been discontinued, since they have been

enabled to obtain a supply of iron for their instruments, by the establishment of the company's trading posts so far to the northward.

The country beyond these mountains appeared perfectly naked of wood, excepting on the borders of the river, which were fringed with a few stunted pines and dwarf shrubs; but the plains were well clothed with grass, and enlivened with herds of game. Being now only about ten or twelve miles from the rapid or cascade where Hearne had the first interview with the Esquimaux, it was deemed expedient to send forward the two interpreters of this nation, in order if possible, to tranquillize the minds of their countrymen, with regard to the object of the expedition. At the "Bloody fall" of Hearne, they fell in with a small party of these people fishing, but could not prevail on them to come over to the same side of the river on which the interpreters stood; they were able, however, to converse with them, and to receive their wishes to be on friendly terms with the Indians; but on the appearance of the party, who, having begun to entertain fears for the safety of their interpreters, had inconsiderately advanced, they made off across the hills, and the only subsequent intercourse was with an old Esquimaux, who had crouched behind a rock unable to make his escape. They returned, however, in the course of the night, threw down their hovels, and left their property strewn about. It consisted of stone kettles and hatchets, a few fish-spears of copper, some skins, a quantity of dried salmon, half putrid and covered with maggots, and two dried mice—to such shifts are these poor people driven for their winter's subsistence.

Several human skulls, which bore the marks of violence, and a number of bones were scattered about the ground, near to the rapid or shelving cascade, the length of which is about three hundred yards, with a fall of twelve or fifteen feet. As this spot, a few miles only from the sea, answered exactly to the description given by Hearne, where the inhuman massacre of the Esquimaux was perpetrated by the Chipewyan Indians, the party could have no doubt of this being the identical place, notwithstanding the great difference between its actual latitude and longitude, and those given by that traveller. Its position, ascertained by their observations is lat. $67^{\circ}42'35''$ N., long. $115^{\circ}49'33''$ W., being no less than $4\frac{1}{2}$ degrees of latitude more southerly, and $4\frac{1}{2}$ degrees of longitude less westerly than those laid down by Hearne, and which, by his chart, appear to be about the lat. 72° , and long. 120° .

At this spot the Indians finally determined to quit the party, being terrified at the very name of Esquimaux; and Mr. Wentzel returned with them, having received instructions from captain Franklin to lay in a stock of provisions at Fort Enterprise, and to leave a letter there to inform him, in what quarter he might expect to fall in with the hunters, in the months of September and October, in the event of his being obliged to make for that place, across the barren grounds. Some of the Canadians also wished to return; and it required no little address to persuade them to the contrary, and to keep up their spirits. They were much amused, however, with the first view of the sea, and particularly with the

seals that were playing about; but these sensations soon gave way to despondency: they became alarmed at the idea of launching upon an icy sea, in bark canoes,—at the probable length of the voyage,—the roughness of the water,—the uncertainty of procuring provisions, and the exposure to cold, where no fuel could be expected.

At the advanced period of the 21st of July, twenty people, of whom fifteen had never seen salt water, launched upon the rough and chilly Hyperborean Ocean, in two miserable birch-bark canoes, with no more provisions of all kinds than fifteen days' consumption, and with a voyage before them of not less than twelve hundred geographical miles. Fort Churchill was the nearest spot at which they could hope to meet with a civilized human being.

Captain Franklin had, it is true, some faint hope of meeting with tribes of Esquimaux along the coast, with whom he might, if necessary, pass the winter; but not a human creature was seen, though the vestiges of habitations were occasionally visible. We do not mean to detail the discoveries made in the geography and hydrography along the northern coast of America, in this canoe navigation of the Polar sea. We shall only observe, that the sea was open, and, except in two or three places, entirely free from ice, which occurred only in detached masses, occasioning no obstruction to the navigation even of canoes; that there was little or no tide; and that, from the position of the drift wood on the western sides of projecting headlands, and its consisting mostly of the poplar, which grows along the banks of the M'Kenzie's river, and is not

found on others to the east of it, captain Franklin concluded that a current was running to the eastward. One part of the coast only extended as high as the latitude of $68\frac{1}{4}^{\circ}$; this was Cape Turnagain, which, with Cape Barrow, near 68° , forms the opening of a very deep gulf that runs to the southward as low down as $66\frac{1}{4}^{\circ}$, or the Arctic circle. This gulf is every where studded with islands, indented with sounds, and the most secure bays and harbours, with excellent anchorage, on smooth sandy bottoms, into almost all of which fall rivers of clear fresh water, abounding with salmon, trout, and other esculent fish. The tittemag, or white fish of the lakes, a species of salmon, was also found to be an inhabitant of the salt water. Rein-deer and musk oxen abounded; but they were generally lean. Bears were plentiful along the coast, and not difficult to be killed; they were commonly fat, and their flesh was found of an excellent flavour. On the coast near Cape Barrow, just at the entrance of the great gulf, Dr. Richardson discovered a vein of galena or lead ore, traversing gneiss rocks, and also some plates of native copper.

Captain Franklin's original intention was to return (if he found it necessary to return at all) in as direct a line as the winding of the coast would admit, to the mouth of Copper-mine River, and thence through the line of woods extending along the Great Bear and Martin Lakes as far as Slave Lake; but their scanty stock of provisions having been exhausted before they reached the mouth of Hood's River, and the coast holding out little hope of an adequate supply, at this advanced period of the season, he determined on proceed-

ing up this latter river as far as it was navigable, and then, striking across the barren grounds, to make directly for their late winter-quarters at Fort Enterprise. Their progress however was very soon stopped by the whole river tumbling over a ridge of rock in a magnificent cascade of 250 feet in height, on the other side of which it was found to be too rapid and too full of shallows for the canoes to make any way. It became necessary therefore to prepare for a journey on foot; and the first step was that of converting the canoes into two of smaller dimensions, to enable them to cross the lakes and rivers with which, they had reason to believe, this portion of the continent was much intersected. Every part of the baggage that could be dispensed with was left on the spot, and two days provision of fresh meat (all that could be carried in addition to the canoes) put up with the rest.

At the end of two days, the course of the river turned so much out of their direct route, that they were obliged to quit its banks altogether, and proceed in a straight line towards Point Lake, whose distance was estimated at 140 miles. On the 5th of September, three days only after leaving the river, the party was surprised by the unusual and unexpected appearance of winter, in a heavy fall of snow. From this moment till the 26th of the month, they had to struggle against cold and boisterous weather; to walk through snow sometimes two feet deep, over a country which scarcely produced a shrub for fuel above six inches high; and to guess their way across an unknown land, unassisted by celestial observations (the sun being constantly hid ex-

cept on two occasions): and, to add to their misery, they had before them the appalling sight of musk oxen, deer, and every other animal, and even the water fowl (alarmed at the snow), hurrying to the southward with the utmost speed. In this journey of twenty-one days, all the fresh meat which they could procure, amounted only to five days' consumption: the sole resource for the rest of the time being the *tripe de roche*, a species of lichen which grows on the rocks: even this weed, unpalatable as it was, could not always be found, so that one scanty meal a day was sometimes all that could be afforded, and several days were passed without eating at all.

The labours of the party, in dragging their burthens and themselves through the snow, did not end with the day. Though they had no food to prepare, it was absolutely necessary to have some little fire to thaw their frozen shoes at night; and it was no easy task to find, and dig from under the snow, a sufficient quantity of stunted bushes for this purpose. The fatigue and want of food had a very sensible effect on the strength and spirits of the Canadian voyagers, both of which were painfully noticed to be sinking very rapidly; yet, encouraged by the officers, they endured, for a time, their miseries with as much patience as could be expected. At length, however, on finding the line of their route interrupted by frequent lakes, which required them to make circuitous journeys, and seeing no hope of speedily reaching their destined point, they began to despair of their safety, and becoming alike indifferent to promises or threats, seemed to consider themselves as liberated

from all control. To add to the misery which stared them in the face, one of the canoes was rendered useless by an accident, and soon after, through the inattention and insubordination of some of the party, the other was also dashed in pieces, though those who carried it knew, from the course of the Copper-mine River, that it would be essentially necessary to enable them to cross it.

On the 26th of September, the whole party arrived on the banks of this river; and having killed five small deer, began to congratulate themselves on their good fortune in having procured as much fresh meat as, with due care, would serve them till their arrival at Fort Enterprise. The weather too had become mild, and the Canadians considered their misfortunes at an end. In the midst of their joy they forgot that, in their madness, they had deprived themselves of the only means of crossing the river which lay between them and the place of their destination. The shores of Point Lake were searched in vain for pines to make a raft. The next expedient was to collect faggots of dried willows, and with those to frame a sort of float; but this was found an unmanageable machine in a stream without the assistance of oars or poles. In short, eight whole days, mostly of fine weather (and the only fine weather they had), were consumed in devising means for crossing the Copper-mine River.

In this hopeless condition, with starvation staring them in the face, Dr. Richardson, actuated by the noble desire of making a last effort for the safety of the party, undertook the hazardous enterprise of swimming across the

stream (about 180 yards) with a line attached to his body; at a time when the mercury in the thermometer stood, in the air, below the freezing point, and in the water at 38°. He succeeded in reaching very nearly the opposite bank when, benumbed with cold, he lost the power of moving his limbs, and was observed by his anxious companions to disappear beneath the surface. It may easily be imagined what their feelings were at this moment. They eagerly dragged him back by the line, and drew him out of the water with little or no hope of restoring animation. By wrapping the body in blankets, however, rubbing it and laying it before a fire, he was at length restored to life, but, as might be supposed, remained for some time in a very enfeebled state.

No other person of the party could be found to repeat the experiment; but a kind of basket was at length constructed which, when covered over with a few fragments of canvas they had luckily preserved, it was hoped might enable them to pass the river; but it was capable only of holding one person. In this basket Percy St. Germain, one of the interpreters, first volunteered to paddle over, carrying with him a line, and happily he succeeded; it was then drawn back, and a second crossed, and so on till the whole party had crossed over without any serious accident, though their frail vessel was filled with water at every traverse, and generally sunk before it reached the shore.

It was now the 4th of October, and they were within forty miles of Fort Enterprize; but the weather had again resumed its severity, the ground was covered with snow, the last morsel of their food was

expended, and the whole party miserably reduced by their recent scanty fare, and their exertions in crossing the river. Under these circumstances, captain Franklin deemed it expedient to push forward Mr. Back with three of the voyagers in search of the Indians, who, it was hoped, would be found in the neighbourhood of Fort Enterprize. The following day the remainder moved forwards, and procured a meal of the tripe de roche, which produced, however, such distressing complaints on some of the party, and reduced them to such a state of weakness, as to oblige them to leave every thing except their personal baggage; and even with this, two of the people dropped behind, about the middle of the second day's march, utterly unable to proceed. Dr. Richardson, weak as he was from his late exertion, went back in search of these two unfortunate men. He found one of them, at the distance of a mile and a half, lying exhausted in the snow, talking incoherently, and evidently in a dying state; but of the other he could discover no trace. On returning with this information, a halt was made, a fire kindled with a few stunted willows, and every argument used to induce the ablest of the party to endeavour to bring forward the poor man who had fallen, and renew the search for the other; but they all declared their utter inability; and, revolting as it was felt to humanity, both were of necessity abandoned to their fate.

As there was every reason to fear that others of the party would speedily sink under the combined pressure of famine, fatigue, and inclement weather, and as those who were strongest had renewed

their threats of throwing down their loads, and pushing with their utmost speed for Fort Enterprise, though they knew not a foot of the way, Dr. Richardson and Mr. Hood generously proposed to halt at the first place that offered a supply of fire-wood, and, with the weak and worn-down of the party, to remain there till assistance should be sent to them from the Fort. To this arrangement captain Franklin reluctantly consented; but as he had every reason to hope that he should find a dépôt of provisions at Fort Enterprise, and a band of Indians in the neighbourhood, according to the arrangement made with Mr. Wentzel, he saw no other means of safety. The English seaman, John Hepburn, volunteered to remain behind.

"Their tent," says captain Franklin, "being securely pitched, a few willows were collected, and the ammunition and all other articles deposited, except each man's clothing, one tent, a sufficiency of ammunition for the journey, and the officers' journals. I had only one blanket, which was carried for me, and two pair of shoes. The offer was now made for any of the men, who felt themselves too weak to proceed, to remain with the officers, but none of them accepted it. Michel alone felt some inclination to do so. After we had united in thanksgiving and prayers to Almighty God, I separated from my companions, deeply afflicted that a train of melancholy circumstances should have demanded of me the severe trial of parting from friends in such a condition, who had become endeared to me by their constant kindness, and co-operation, and a participation of numerous sufferings. This trial I could not

have been induced to undergo, but for the reasons they had so strongly urged the day before, to which my own judgment assented, and for the sanguine hope I felt, of either finding a supply of provisions at Fort Enterprise, or meeting the Indians in the immediate vicinity of that place, according to my arrangements with Mr. Wentzel and Akaitcho. Previously to our starting, Peltier and Benoit repeated their promises, to return to them with provisions, if any should be found at the house, or to guide the Indians to them, if any were met."

The parting took place on the 7th of October, at the distance of about twenty-four miles from Fort Enterprise; the party, who proceeded with captain Franklin, consisted of eight persons besides himself, of whom two, feeling themselves unable to proceed, left him on the following day to return to Dr. Richardson; the next day a third fainted; and a fourth, unable to go on, was sent back;—but one of them only arrived,—(it was Michel, the Iroquois;) the other three were no more heard of. With the remaining four captain Franklin reached the fort on the evening of the 11th, in a state of complete exhaustion, having tasted no food for five days, excepting a single meal of tripe de roche. This was not the worst; to their utter sorrow and dismay, and as a fatal blow to every hope by which they had been animated, they found the place desolate—no provisions, no Mr. Back, no Mr. Wentzel, nor any letter from him to point out where the Indians were! not a trace of any living animal, and the ground covered with a greater depth of snow than it had been in the month of December the preceding year.

Recovered from the first shock of so dreadful a disappointment, a note was observed in the handwriting of Mr. Back, stating that he had reached the house on the 9th, and that he had gone on in search of the Indians. Four days after this, a messenger from him brought the exhausted party the woeful intelligence that his search had been unsuccessful. Solicitous for the fate which must inevitably await Dr. Richardson and his party; unable to stir himself, from debility, and the only hunter he had with him falling sick, captain Franklin's situation may more easily be conceived than expressed; he rallied his spirits, however, and after collecting some old shoes, scraps of leather and skins with the hair singed off, their only food after reaching the house, he set out, with two of the Canadians, in quest of the Indians, but soon found himself utterly unable to proceed, and returned to the house of misery and desolation the following day. Hopeless however as, in every way, his situation now appeared to be, this gallant officer never once uttered a murmur, nor gave himself up to despair. He dispatched two of the strongest to endeavour to find out the Indians, and inform them of their dreadful situation; and kept the other three, who were reduced to the last extremity, with himself.

Eighteen days were passed in this miserable condition, with no other food than the bones and skins of the deer which had been consumed the preceding winter boiled down into a kind of soup; when, on the 29th of October, Dr. Richardson and John Hepburn made their appearance, but without the rest of the party.

"We were all shocked," says

captain Franklin, "on beholding the emaciated countenances of the doctor and Hepburn, as they strongly evidenced their extreme debilitated state. The alteration in our appearance was equally distressing to them, for since the swellings had subsided, we were little more than skin and bone. The doctor particularly remarked the sepulchral tone of our voices, which he requested us to make more cheerful if possible, unconscious that his own partook of the same key."

The melancholy tale of what had befallen them is well and feelingly told by Dr. Richardson.

It appears that, on the first two days, they had nothing whatever to eat; that on the evening of the third day, Michel, the only surviving man of the four whom captain Franklin had sent back, arrived with a hare and a partridge, which enabled them to break their long fast. Another day passed without eating; Mr. Hood very weak and unwell. On the 11th, Michel brought them part of what he called a wolf, which he said had been killed by a stroke of a deer's horn. "We implicitly believed this story then," says Dr. Richardson, "but afterwards became convinced, from circumstances, the detail of which may be spared, that it must have been a portion of the body of Belanger, or Perrault," two of the unfortunate men whom captain Franklin had sent back, and one or both of whom it was strongly suspected had fallen by the hands of the Iroquois. This man's bad conduct since his return grew daily worse; he absented himself from the party; refused either to hunt, or to fetch wood; and frequently threatened to leave them. Flood

was now sinking fast; he was unable to eat the tripe de roche, (and they had nothing else), on account of the constant griping it produced.

"At this period we avoided", says Dr. Richardson, "as much as possible conversing upon the hopelessness of our situation, and generally endeavoured to lead the conversation towards our future prospects in life. The fact is, that, with the decay of our strength, our minds decayed, and we were no longer able to bear the contemplation of the horrors that surrounded us. Each of us, if I may be allowed to judge from my own case, excused himself from so doing by a desire of not shocking the feelings of the others, for we were sensible of one another's weakness of intellect, though blind to our own. Yet we were calm and resigned to our fate, not a murmur escaped us, and we were punctual and fervent in our addresses to the Supreme Being.

"Through the extreme kindness and forethought of a lady, the party, previous to leaving London, had been furnished with a small collection of religious books, of which we still retained two or three of the most portable, and they proved of incalculable benefit to us. We read portions of them to each other as we lay in bed, in addition to the morning and evening service, and found that they inspired us on each perusal with so strong a sense of the omnipresence of a beneficent God, that our situation, even in these wilds, appeared no longer destitute; and we conversed, not only with calmness, but with cheerfulness, detailing with unrestrained confidence the past events of our lives, and dwelling with hope on our future prospects."

Five days more passed on without any food except a little tripe de roche collected by Hepburn, the Iroquois continuing sulky, and, though strongest of the party, refusing to contribute to its relief; but it was strongly suspected he had a hidden supply of meat for his own use. Seeing the determined obstinacy and refractory spirit of this man, Dr. Richardson had told him, that if no relief came from Fort Enterprize before the 20th, Hepburn and himself should be dispatched thither with a compass, by the direction of which they might be enabled to find the house. On that very day however, as Hepburn was cutting wood near the tent, and Dr. Richardson was collecting tripe de roche, the miscreant assassinated Mr. Hood while sitting over the fire in the last stage of disease and debility. The ball entered the back part of his head, and set fire to his nightcap. Hepburn had heard them conversing together in an angry tone, and immediately after, the report of a gun; and on looking towards the spot, observed Michel rise from behind the spot where Mr. Hood had been sitting, and dart into the tent. It was at once clear, from the great length of the gun which had been discharged, that such a wound could only have been inflicted by a second person; and if any doubt could have existed as to the murderer, Michel's own conduct would at once have removed it. From this time he would never suffer the two remaining of the party to be together for a moment; he was constantly asking if they suspected him of the murder? sometimes he made use of threatening language; at other times muttering to himself, and throwing out obscure hints of fire-

ing himself from all restraint. In short as they proceeded on their journey to join their companions at Fort Enterprize, his conduct became so violent and outrageous, as to convince both the doctor and Hepburn that he would attempt to destroy them the first opportunity that offered. His strength was superior to theirs united, and he had, besides his gun, two pistols, an Indian bayonet and a knife. On coming to a rock, he, for the first time, left them together, saying he would stop to gather some tripe de roche, and desired them to go on. Hepburn now mentioned certain circumstances, which satisfied Dr. Richardson that there was no safety for them but in his death, and he offered to be the instrument of it. 'I determined, however,' says Dr. Richardson, 'as I was thoroughly convinced of the necessity of such a dreadful act, to take the whole responsibility upon myself; and immediately upon Michel's coming up, I put an end to his life by shooting him through the head with a pistol: "had my own life alone," he continues, "been threatened, I would not have purchased it by such a measure; but I considered myself as intrusted also with the protection of Hepburn's, a man who, by his humane attentions and devotedness, had so endeared himself to me, that I felt more anxiety for his safety than for my own." Michel had gathered no tripe de roche; and it was quite evident that he had halted for no other purpose than that of putting his gun in order, to destroy them that same evening while engaged in setting up the tent.

After dragging along their famished bodies for six days, existing on lichens and pieces of the skin

cloak of Mr. Hood, on the 29th they came in sight of the fort at dusk; "and," says Dr. Richardson, "it is impossible to describe our sensations, when, on attaining the eminence that overlooks it, we beheld the smoke issuing from one of the chimneys. From not having met with any footsteps in the snow, as we drew nigh our once cheerful residence, we had been agitated by many melancholy forebodings. Upon entering the now desolate building, we had the satisfaction of embracing captain Franklin, but no words can convey an idea of the filth and wretchedness that met our eyes on looking around. Our own misery had stolen upon us by degrees, and we were accustomed to the contemplation of each other's emaciated figures; but the ghastly countenances, dilated eye-balls, and sepulchral voices of Mr. Franklin and those with him were more than we could at first bear."

Two of the captain's party died, two days after the arrival of Dr. Richardson and Hepburn. The only remaining man and captain Franklin were so utterly unable to assist themselves that eight-and-forty hours; and probably half that time, would have put an end to their misery. The whole labour, therefore, of procuring fire-wood, and scraping together the old pieces of skins, and fragments of bone, devolved on Dr. Richardson and Hepburn, whose strength was now rapidly declining, and very nearly exhausted.

"Owing to our loss of flesh," says captain Franklin, "the hardness of the floor, from which we were only protected by a blanket, produced soreness over the body, and especially those parts on which the weight rested in lying, yet, to turn ourselves for

relief was a matter of toil and difficulty. However, during this period, and indeed all along after the acute pains of hunger, which lasted but three or four days, had subsided, we generally enjoyed the comfort of a few hours' sleep. The dreams which, for the most part, but not always, accompanied it, were usually (though not invariably), of a pleasant character, being very often about the enjoyments of feasting. In the day time we fell into the practice of conversing on common and light subjects, although we sometimes discussed with seriousness and earnestness topics connected with religion. We generally avoided speaking directly of our present sufferings, or even of the prospect of relief. I observed that, in proportion as our strength decayed, our minds exhibited symptoms of weakness, evinced by a kind of unreasonable pettishness with each other. Each of us thought the other weaker in intellect than himself, and more in need of advice and assistance. So trifling a circumstance as a change of place, recommended by one as being warmer and more comfortable, and refused by the other from a dread of motion, frequently called forth fretful expressions which were no sooner uttered than atoned for, to be repeated perhaps in the course of a few minutes. The same thing often occurred when we endeavoured to assist each other in carrying wood to the fire; none of us were willing to receive assistance, although the task was disproportioned to our strength. On one of these occasions Hepburn was so convinced of his waywardness that he exclaimed, 'Dear me, if we are spared to return to England, I wonder if we shall recover our understandings.'

At length on the 7th of November, three Indians, sent by Mr. Back, arrived with relief. They cleaned out the room, cooked their victuals, had the survivors washed and made comfortable, and, after leaving the fort, attended them to the spot where their tribe were engaged in hunting; giving up their own snow-shoes, keeping by their sides, lifting them up when they fell; and finally conducting them in safety to the nearest of the company's posts, where they met with their companion, Back, whose sufferings had scarcely been less than their own, and to whose exertions the survivors of the party unquestionably owed their safety. One of the two Canadians who had accompanied Mr. Back, fell a sacrifice to cold, hunger, and fatigue. With respect to the country over which the expedition travelled, partly by land, but chiefly by water; a journey not less (including the navigation of the Polar Sea) than 5,500 miles, a great sameness of surface everywhere prevails; every valley is a lake, and every river a string of lakes. There is little variety in the trees, consisting chiefly of larch, spruce, and poplar, which diminish in quantity and in size, in advancing to the northward. The shrubby and herbaceous plants, the birds, the beasts, and the fishes, are everywhere nearly the same. Neither did the few straggling tribes of Indians afford any essential characteristic difference.

The climate is as bad as the country is uninteresting. For three or four days in the course of the summer, the mercury ascended to 80° or 90°, and for as many months in the winter was down to 30°. 40° or 50° below zero; once

even to -57° , or two degrees lower than the lowest that Parry found it at Melville Island.

The general line of the northern coast of America was found to lie

in the direction, nearly, of east and west; deviating little, captain Franklin thinks, from the latitudes of Repulse Bay, Hearne's River, and Kotzebue's Sound.

Account of CAPTAIN PARRY'S SECOND VOYAGE.

ON the 10th of October, the *Fury* and *Hecla* arrived at Lerwick. Having made the northern coast of England on Thursday the 16th, captain Parry, lieutenant Hoppner, and the reverend Mr. Fisher (the chaplain and astronomer to the expedition) were landed, and set off for London, which they reached on the 18th. Meanwhile the ships sailed for the river, and on the 22nd moored off the dock-yard at Deptford.

The outward voyage in 1821, was fair and prosperous. Passing up Hudson's Straits, the navigators kept near the land on their South, and explored the coast towards Repulse Bay. The farthest West which they attained was 86° of longitude, and the highest latitude only $69^{\circ} 48' N.$; and they finally brought up for winter quarters at a small isle which they named Winter Island, in $82. 53.$ West longitude, and latitude $66. 11. N.$ The chief part of the summer of 1821, was occupied in examining Repulse Bay, and some inlets to the eastward of it, through which they hoped to find a passage into the Polar Sea. In this they were disappointed, for all the openings proved to be only deep inlets, which ran into the continent of America. While thus occupied, early in October the sea began to freeze; and on the 8th the ships were laid up for the winter. Here at Winter Island, the expedition was frozen up from the 8th of

October 1821, to the 2nd of July 1822. The vessels were within two or three hundred paces of each other; and occupations and amusements, similar to those practised in the preceding voyage, were resorted to. One of the principal events worthy of notice in this period, was the beneficial effect produced by the system of heating the ships with currents of warm air. These were directed to every requisite part by means of metallic tubes. The lowest temperature experienced during the winter was 35° below zero. In the second winter it was ten degrees lower; but this was not near so difficult to endure, nor so inconvenient as the cold in captain Parry's first voyage. The provision cases did not turn out so well; for, though the meats were preserved fresh, they were found to be very insipid on constant use, and the men got as tired of them as they generally do of salt provisions. From the quantum of boiling needed in these preparations, the nutritious juices are extracted, and the taste so reduced that it is not easy to tell veal from beef. They, however, (like French cookery done to rags), made a change, and were so far acceptable. Fish was caught, and formed another welcome variety. They were chiefly a species of small salmon of about 7 or 8lbs weight, of which about 300 were taken; the coal-fish, and the Alpine trout, which latter was found in a fresh-

water stream, on an island to the westward of Winter Island. This river, according to the native accounts, flowed from a lake, whence also another river ran into the sea on the other side; that is to say, one stream flowed in a south-easterly direction towards Hudson's Bay, and the other in a south-westerly course towards (perhaps) the Polar Sea. Nothing occurred, during the first part of the winter, deserving of any particular notice; but one morning, in the beginning of February, our people were surprised by the appearance of strange forms upon the snow-plain in their vicinity, and of persons running to and fro. This was a tribe of about fifty Esquimaux, who were erecting their snow-huts, and taking up their residence at a short distance from the vessels. They were one of those wandering hordes which roam along the shore in search of food, and make their habitations wherever it can be obtained in sufficient quantity. The great dependence of these people upon the produce of the sea for their sustenance, seems to confine their migrations to the coasts. The intercourse of the voyagers with their new and singular neighbours, afforded them much amusement during the remainder of the winter; as, never having seen Europeans before, their manners and customs were quite original. The snow began to melt about the beginning of May, and put an end to their intimacy.

In the season of 1822, the vessels having steered along the coast to the North, penetrated only to the long. of 82. 50. and lat. 69. 40.; and after exploring several inlets, &c. in their brief cruise, they were finally moored for their second winter, about a mile apart,

in 81. 44. W. long., and lat. 69. 21. N. Here, close to another small isle, they remained from the 24th of September, 1822, to the 8th of last August. They had latterly entered a strait leading to the westward. From the accounts of the Esquimaux, and their own observations, they had every reason to believe that this strait separated all the land to the northward from the continent of America. After getting about fifteen miles within the entrance of it, however, they were stopped by the ice, but from the persuasion that they were in the right channel for getting to the westward, they remained there for nearly a month, in daily expectation that the ice would break up. In this last hope they were again quite disappointed; and on the 19th of September the sea having begun to freeze, they left these straits, and laid the ships up in winter quarters near the small island above alluded to, and called by the Esquimaux Igloodik. Thus it is evident, that the expedition failed in its leading objects. The magnetic pole was not crossed; all the electrical appearances, lights, haloes, meteors, &c. were seen to the south. In natural history, the acquisitions are very scanty. Twenty-eight botanical specimens, dwarf willow, saxifrage, grasses, mosses, &c. nearly comprehend the stunted vegetable world of these northern latitudes.

In the second winter, a more numerous tribe of the Esquimaux, about 150, including the visitors of the preceding year, settled near the ships, and were in daily intercourse with them. They are represented as peaceable and good-natured: not stupid, but not eminent for feeling or intelligence. The first tribe lived together on

terms of perfect liberty and equality; in the second there was an Angekok or conjuror, who exercised a certain degree of influence and authority. There are no signs of the worship of a Supreme Being among them, nor have they apparently any religious rites at marriages or burials. An Esquimaux bespeaks his wife while she is yet a child, and when she is of marriageable age she is brought home to him, and there is a feast on the occasion. Their funerals are equally simple: if in winter, the corpse is merely covered over with snow; if in summer, a shallow trench is dug, where it is deposited, and two or three flat stones at top complete the rude sepulchre. They are careful not to allow any stones or weighty matter to rest on the body: and seem to think that even after death it may be sensible to the oppression. They appeared to have some crude notions of a future state: but all their ideas on these matters were so blended with superstition, that they hardly deserve to be mentioned. Two wives were possessed by several of the natives, and one is almost always much younger than the other; yet the co-partners seemed to live on very good terms with one another. The children rarely appear to be more than two, three, or four in a family; though in one case, six grown-up brothers and sisters were met with. They live to a good age. The stature of the males is about the average of five feet four, five, or six inches; and none exceeding five feet ten inches. Their colour is a dirty-looking yellowish white, and their proportions by no means robust. Their snow-houses are curiously shaped and constructed, resembling three immense bee-

hives grouped together, and entered by one long passage by all the three families to whom these yield an abode. A tresfoil affords a tolerable idea of them. They are about nine feet in diameter, and seven or eight feet in height. The passage is about twenty feet in length, and so low that you must creep along nearly on all-fours, in order to reach the hut. This is ingeniously intended to exclude the cold air, which it does effectually, though widened in parts for lodging the dogs belonging to the several households, and which are stationed in the last sort of anti-chamber, before the entrances turn off to the right and left for the two nearest huts. The huts themselves are entirely made of square blocks of solid snow, with a larger key-block at the top of the rotunda. The window is a piece of flat transparent ice. Round the interior runs a seat of the same material as the walls, upon which the skins of animals are thrown for seats and beds. The houses are without any artificial warmth, except what is produced by a lamp. In the winter of 1822-3, native dwellings or huts constructed of bone were also seen.—The Esquimaux often eat flesh in a raw state; but it is sometimes cooked, and the women almost invariably submit their food to that process. The utensils are uncommon, though simple. They consist of two vessels of stone; generally the pot-stone or lapis-ollaris, also used in parts of Germany for the same purpose. The lower vessel a good deal resembles an English kitchen ash-shovel: the upper one a trough, of a wide coffin-form. In the first, which is filled with oil, a number of moss wicks float, and are lighted for the

fuel. The oil is gradually supplied from strings of fat hung up above the flames, the heat of which melts them into so many reservoirs of grease. In the second utensil, placed over the fire thus made, the meat is stewed. The natives are filthy in their eating, and hardly reject any thing, from the blubber of whale to the flesh of wolf. When hungry, they devoured the carcasses of ten or a dozen of the latter, which were killed by our seamen. Their food, indeed, consisted chiefly of seals' and wolves' flesh; but, notwithstanding this, they appeared to be perfectly contented, nay, even happy. Their dresses were made entirely of skins, chiefly those of the rein-deer. The lapis-ollaris is originally so soft that it may be cut into form with a knife; and when it is not to be found, an extraordinary substitute is manufactured into pots and pans. This is a cement composed of dogs' hair, seals' blood, and a particular clay, which soon becomes as hard as stone, and bears the effects both of oil and fire below, and moisture and stewing above.

The men had no hesitation in offering their wives and daughters to the sailors, for so poor a bribe as a nail, or two or three beads. These females have disagreeable features, and long and harsh, but exceedingly black, hair. A map was drawn by one of them (a remarkable instance of intelligence), in which she represented two islands to the north of the second winter's position of the ships, and others in different directions, giving rather sonorous names to them all. The nearest on the north is several days' journey across, and the roaming of the Esquimaux tribes is confined to these islands, as they

never venture upon the continent. They say that their race originally sprang from a beneficent female Spirit; and that from another wicked female Spirit are descended the other three creatures who inhabit the earth, namely, the *Itkali*, or Indians, the *Cabluna*, or Europeans, and (after long hesitation before they would express it) the *Dogs* which they drive! The *Itkali* they abhor and speak of as murderers, who never spare their tribes. Of the *Cabluna* they had only heard by report, never having seen a European till they encountered those in the *Fury* and *Hecla*; but it is clear from their classing them with the Indians and dogs, that they have no very exalted idea of their virtues. With their own appellation of *Esquimaux* they are not acquainted, but call themselves *Esaec*. The other name is understood to be a term of reproach, meaning "eaters of raw flesh."

They entertain a belief in certain spirits or superior beings; but their notions concerning them are extremely rude and vague. This was displayed by their *Angek*, or conjuror; who was, after much entreaty, prevailed upon to exhibit his supernatural powers in the captain's cabin of one of the ships. He was accompanied by his wife, and began his operations by having every glimpse of external light carefully excluded. Still the fire emitted a glimmering, and this was covered with a thick mat; so that at length all was utter darkness. The *Angek* then stripped himself naked, and lay down upon the floor, and pretended that he was going to the lower regions where the spirits dwell. His incantations consisted of hardly articulate sounds, not appearing to

have any meaning attached to them, but to be the muttering and whining of strange syllables. He also practised a kind of ventriloquism; and modulated his voice so as to give it the effect of nearness and greater distance, in the depths to which he wished it to be believed he had descended. This farce lasted about twenty minutes; and on the re-admission of light, the actor gave an account of his adventures, and of what the spirits had told him. As a proof of the truth of his facts and the reality of his colloquies, he produced several stripes of fur which one of the spirits had fastened on the back of his skin-coat, since he went down—which, indeed, his wife had been busily stitching on during the dark performance. An immense value is set upon the testimonies of supernatural intimacy; thus the Angekok declared that he would not exchange the spirits' gifts, one of the stripes of fur, for any thing that could be offered to him; and it was with much difficulty, that captain Parry did prevail upon him to barter one for some highly-coveted article; nor would he part with any more. Their knowledge of figures is very limited—five and ten being their most obvious enumerations. When they wish to express the former, one hand is held up; the latter of course, requires both; but when the sum exceeds that number, the Esquimaux calls on a neighbour to help him out by holding up one or two hands as the occasion requires. The wives of two of the natives, one with a baby suckling (which nutriment they supply for several years), were taken on board the vessels for medical treatment, both being in the last stages of disease, and they died. The husband of

the mother evinced some distress, and howled a little when she expired; but very soon seemed to forget his loss. Yet he attended very sedulously to the proceedings of the Cablunæ. They enveloped the body decently, as is done with sailors, in a hammock, and dug a grave for its reception. To this it was borne, accompanied by the husband, who manifested much uneasiness. At last he made himself understood that he was afflicted by the confinement of the corpse. Having obtained a knife, he was permitted to gratify his own feelings, and he cut all the stitches which held the hammock together down the front, so as to give a kind of liberty to the dead form. The covering in of the grave with earth and stones seemed also to give him pain; but he asked leave to bury the living child with its dead mother. The reason assigned for this horrid proposal was, that, being a female, no woman would take the trouble to nurse it, as that was never done among them. The infant, without sustenance, died on the ensuing day, and was placed at the disposal of its parent, who drew it away in his sledge to a short distance, and raised a small mound of snow over its lifeless corpse.

In the management of the canoe, the Esquimaux are very expert. They are amazingly light, and formed of skin over whale-bone. The largest which captain Parry obtained is twenty-six feet in length. In these, the native pursues his marine chase, and spears the fish and fowl. The spear is double-pointed with bone, about six or seven inches in length, and barbed. The shaft is of very light wood, five or six feet long; and below the handle, or part by

which it is thrown, are three other barbed bones, standing out a few inches from the wood, and calculated to strike the prey, should the bi-forked point miss. A method of catching seals through a hole in the ice, is one of the most dexterous of Esquimaux contrivances: A line is let down, at the end of which is fastened a small piece of white bone or tooth, above an inch long, cut into a rude fish-form, and having two morsels of pyrites stuck into it to resemble eyes. This bait is drawn through the water, and when seals or other prey approach to examine it, the watchful native spears them from above. The knives used by the women are curiously constructed, and as cleverly employed in skinning animals, and carving victuals, as the instruments of hunting are by the men. Spectacles are another of their articles. They consist of a piece of wood scraped thin, like a bandage, and perforated with two narrow horizontal slits, something like pig's eyes, where we should have glasses; a rim about an inch broad projects in the same direction as that of a hat would; and this simple mechanical process, tied about the head, protects the eyes from the drifting snow and spiculæ.

The absence of the sun was experienced for about a month. In June (the 9th) the first flower was seen: a small but richly-coloured blue of the Saxifrage genus. To beguile the tedious time, our countrymen occasionally lived in tents on shore, and hunted, shot, and fished, for the general consumption. Rein-deer were sometimes killed; the carcase of the largest weighed (without offal) 150lbs. These were very acceptable to the ships' companies; but their fresh

provisions were not always so dainty as venison. The hearts, livers, and kidneys of whales and walruses (brought by the Esquimaux) were not irreconcilable to European palates; and many a hearty meal was made on these not very delicate dishes. According to the report of the natives, there were rein-deer on the large island towards the north. No musk oxen were seen in any part; and from the same authority it was gathered, that they only appeared to the westward of the longitude to which the expedition penetrated. Gardening was another expedient for occupying the time, and supplying the table. Mustard and cress were grown as on the preceding voyage, and served out to the men in considerable quantities, to the great benefit of their health. Their loss amounted to five men in the two years and a half. The first two died in the *Fury* within twenty-four hours of each other, in 1822—the one, of internal inflammation, and the other of a consumption of long standing. They were consigned to one grave; and a tumulus of stones placed over their bones; their names, &c. being engraved on one of the largest. Soon afterwards, a sailor of the *Hecla* fell from the mast, and dislocated his neck. He died on the spot. Last spring, another sailor died of dysentery in the same ship; and about six weeks ago, Mr. Fyffe, the master, fell a victim to the scurvy, while on the passage home. It does not appear, that any far excursions were attempted from the ships overland. The chief journey was performed by lieutenant Hoppner, and a party under his command, in consequence of news brought by the Esquimaux that two ships had been

wrecked last year (1822) five days' journey to the north-east, where the wrecks still remained. Lieut. Hoppner and his party set out accompanied by the natives as guides; but, after travelling a few days, the latter declared they would proceed no farther.

On the voyage home, the ships touched at Winter Island, and

were surprised to find their garden vegetables thriving. Whether the plants had re-sown themselves or sprung again from the roots, could not be ascertained; but the singular fact of salads and peas growing spontaneously on the arctic circle was exhibited to the wonder of the visitors.

NIAGARA FALLS.

THE form of Niagara Falls is that of an irregular semicircle, about three quarters of a mile in extent. This is divided into two distinct cascades by the intervention of Goat Island, the extremity of which is perpendicular, and in a line with the precipice over which the water is projected. The cataract on the Canada side of the river is called the Horse-shoe, or Great Fall, from its peculiar form—and that next the United States the American Fall.

Three extensive views of the Falls may be obtained from three different places. In general, the first opportunity travellers have of seeing the cataract is from the high-road, which, at one point, lies near the bank of the river. This place, however, being considerably above the level of the Falls, and a good way beyond them, affords a view that is comparatively imperfect and unimposing.

The Table Rock, from which the Falls of Niagara may be contemplated in all their grandeur, lies on an exact level with the edge of the cataract on the Canada side, and indeed forms a part of the precipice over which the water gushes. It derives its name from the circumstance of its projecting beyond the cliffs that support it

like the leaf of a table. To gain this position, it is necessary to descend a steep bank, and to follow a path that winds among shrubbery and trees, which entirely conceal from the eye the scene that awaits him who traverses it. When near the termination of this road, a few steps carried me beyond all these obstructions, and a magnificent amphitheatre of cataracts burst upon my view with appalling suddenness and majesty. However, in a moment the scene was concealed from my eyes by a dense cloud of spray, which involved me so completely, that I did not dare to extricate myself. A mingled rushing and thundering filled my ears. I could see nothing except when the wind made a chasm in the spray, and then tremendous cataracts seemed to encompass me on every side, while below, a raging and foaming gulph of undiscoverable extent lashed the rocks with its hissing waves, and swallowed, under a horrible obscurity, the smoking floods that were precipitated into its bosom.

At first the sky was obscured by clouds, but after a few minutes the sun burst forth, and the breeze subsiding at the same time, permitted the spray to ascend perpendicularly. A host of pyramidal

clouds rose majestically, one after another, from the abyss at the bottom of the Fall; and each, when it had ascended a little above the edge of the cataract, displayed a beautiful rainbow, which in a few moments was gradually transferred into the bosom of the cloud that immediately succeeded. The spray of the Great Fall had extended itself through a wide space directly over me, and, receiving the full influence of the sun, exhibited a luminous and magnificent rainbow, which continued to over-arch and irradiate the spot on which I stood, while I enthusiastically contemplated the indescribable scene.

Any person, who has nerve enough (as I had), may plunge his hand into the water of the Great Fall, after it is projected over the precipice, merely by lying down flat, with his face beyond the edge of the Table Rock, and stretching out his arm to its utmost extent. The experiment is truly a horrible one, and such as I would not wish to repeat; for, even to this day, I feel a shuddering and recoiling sensation, when I recollect having been in the posture above described.

The body of water which composes the middle part of the Great Fall is so immense, that it descends nearly two-thirds of the space without being ruffled or broken, and the solemn calmness with which it rolls over the edge of the precipice is finely contrasted with the perturbed appearance it assumes after having reached the gulf below. But the water towards each side of the Fall is shattered the moment it drops over the rock, and loses as it descends, in a great measure, the character of a fluid, being divided into

pyramidal-shaped fragments, the bases of which are turned upwards. The surface of the gulf below the cataract presents a very singular aspect; seeming, as it were, filled with an immense quantity of hoar frost, which is agitated by small and rapid undulations. The particles of water are dazzlingly white, and do not apparently unite together, as might be supposed, but seem to continue for a time in a state of distinct comminution, and to repel each other with a thrilling and shivering motion which cannot easily be described.

The noise made by the Horseshoe Fall, though very great, is infinitely less than might be expected, and varies in loudness according to the state of the atmosphere. When the weather is clear and frosty, it may be distinctly heard at the distance of ten or twelve miles; but much further when there is a steady breeze; however, I have frequently stood upon the declivity of the high bank that overlooks the Table Rock, and distinguished a low thundering only, which at times was altogether drowned amidst the roaring of the rapids above the cataract. In my opinion, the concave shape of the Great Fall explains this circumstance. The noise vibrates from one side of the rocky recess to the other, and a little only escapes from its confinement; and even this is less distinctly heard than it would otherwise be, as the profusion of spray renders the air near the cataract a very indifferent conductor of sound.

The road to the bottom of the Fall presents many more difficulties than that which leads to the Table Rock. After leaving the Table Rock, the traveller must

proceed down the river nearly half a mile, where he will come to a small chasm in the bank, in which there is a spiral staircase enclosed in a wooden building. By descending this stair, which is seventy or eighty feet perpendicular height, he will find himself under the precipice on the top of which he formerly walked. A high but sloping bank extends from its base to the edge of the river; and on the summit of this there is a narrow slippery path, covered with angular fragments of rock, which leads to the Great Fall. The impending cliffs, hung with a profusion of trees and brushwood, overarch this road, and seem to vibrate with the thunders of the cataract. In some places they rise abruptly to the height of one hundred feet, and display upon their surfaces, fossil shells, and the organic remains of a former world; thus sublimely leading the mind to contemplate the convulsions which nature has undergone since the creation. As the traveller advances, he is frightfully stunned by the appalling noise; clouds of spray sometimes envelope him, and suddenly check his faltering steps,—rattlesnakes start from the cavities of the rocks, and the scream of eagles soaring among the whirlwinds of eddying vapour which obscure the gulf of the cataract, at intervals announce that the raging waters have hurled some bewildered animal over the precipice. After scrambling among piles of huge rocks that obstruct his way, the traveller gains the bottom of the Fall, where the soul can be susceptible only of one emotion,—that of uncontrollable terror.

It was not until I had, by frequent excursions to the Falls, in some measure familiarized my

mind with their sublimities, that I ventured to explore the *penetralia* of the Great Cataract. The precipice over which it rolls is very much arched underneath, while the impetus which the water receives in its descent projects it far beyond the cliff, and thus an immense Gothic arch is formed by the rock and the torrent. Twice I entered this cavern, and twice I was obliged to retrace my steps, lest I should be suffocated by the blast of dense spray that whirled around me; however, the third time, I succeeded in advancing about twenty-five yards. Here darkness began to encircle me; on one side, the black cliff stretched itself into a gigantic arch far above my head, and on the other, the dense and hissing torrent formed an impenetrable sheet of foam, with which I was drenched in a moment. The rocks were so slippery, that I could hardly keep my feet, or hold securely by them; while the horrid din made me think the precipices above were tumbling down in colossal fragments upon my head.

It is not easy to determine how far an individual might advance between the sheet of water and the rock; but were it even possible to explore the recess to its utmost extremity, scarcely any one, I believe, would have courage to attempt an expedition of the kind.

A little way below the Great Fall, the river is, comparatively speaking, so tranquil, that a ferry-boat plies between the Canada and American shores, for the convenience of travellers. When I first crossed, the heaving flood tossed about the skiff with a violence that seemed very alarming; but as soon as we gained the middle of the river, my attention was altogether engaged by the surpassing grandeur

of the scene before me. I was now within the area of a semi-circle of cataracts, more than three thousand feet in extent, and floated on the surface of a gulf, raging, fathomless, and interminable. Majestic cliffs, splendid rainbows, lofty trees, and columns of spray, were the gorgeous decorations of this theatre of wonders, while a dazzling sun shed refulgent glories upon every part of the scene.— Surrounded with clouds of vapour, and stunned into a state of confusion and terror by the hideous noise, I looked upwards to the height of one hundred and fifty feet, and saw vast floods, dense, awful, and stupendous, vehemently bursting over the precipice, and rolling down, as if the windows of heaven were opened to pour another deluge upon the earth. Loud sounds, resembling discharges of artillery or volcanic explosions, were now distinguishable amidst the watery tumult, and added terrors to the abyss from which they issued. The sun, looking majestically through the ascending spray, was encircled by a radiant halo; whilst fragments of rainbows floated on every side, and momentarily vanished only to give place to a succession of others more brilliant. Looking backwards, I saw the Niagara river, again become calm and tranquil, rolling magnificently between the towering cliffs that rose on either side, and receiving showers of orient dew-drops from the trees that gracefully overarched its transparent bosom. A gentle breeze ruffled the waters, and beautiful birds fluttered around, as if to welcome its egress from those clouds, and thunders, and rainbows, which were the heralds of its precipitation into the abyss of the cataract.

The American Fall, which it is

quite unnecessary to describe, is higher than the Horse-shoe, its pitch being 164 feet: however, the quantity of water which rolls over is not nearly so great as in the former. Here, as on the Canada side, there is a wooden staircase, by which the most nervous and timid person may descend to the bottom of the cataract with ease and safety.

The Niagara Falls appear to the observer of a magnitude inferior to what they really are, because the objects surrounding do not bear a due proportion to them. The river, cliffs, and trees, are on a comparatively small scale, and add little to the composition or grandeur of the scene; therefore, he who contemplates the cataracts, unconsciously reduces them to such dimensions as correspond with those of the contiguous objects: thus divesting one part of the scene of a good deal of its magnificence, without communicating any additional grandeur to the other.

The extent of the Falls have never been correctly ascertained, as, indeed, their peculiar form, and several other circumstances, render this impossible. The height of the Great Fall, as taken with a plumb-line by some engineers from the United States, was found to be 149 feet 9 inches. Its curve is supposed to extend 2,100 feet, and its arc may measure nearly half that space. The breadth of Goat Island, which divides the two cataracts, has been found to be 984 feet, and that of the American Fall 1,140 feet. Therefore the whole circumference of the precipice over which the cataracts fall is 4,224 feet, and the width of the cataract itself 3,240 feet. At one time, the Table Rock extended fifty feet beyond the cliffs that support it, but its projection is not so great at present.

NATURAL PHILOSOPHY

AND

MECHANICAL ARTS.

COMPRISING

NATURAL HISTORY,
GEOGRAPHY, ASTRONOMY, &c.
CHEMISTRY.

AGRICULTURE AND BOTANY.
ARTS AND MANUFACTURES.
PATENTS.

NATURAL HISTORY.

HISTORY of a case of hydrophobia, treated at the Hotel Dieu at Paris, by an injection of water into the veins. By R. Magendie. (October, 1823.)

On the 15th of this month, I was invited by R. Caillard, the resident physician in the Hotel Dieu, to go immediately to that hospital, to give my opinion on the case of a man who had just arrived in the last stage of hydrophobia. I went at one o'clock. When I arrived, I found the patient placed in an isolated room, restrained by a strait waistcoat, and agitated by the most furious transports; on approaching his bed, I found that he exhibited all the symptoms of hydrophobic mania; the most violent cries and efforts to get rid of the straps which held him down; al-

teration of the voice, thickened saliva, biting at the substances which were presented to his mouth, and at intervals a return to a tranquil state. At these intervals, which lasted a very short time, he understood the reasons and the consolations which were addressed to him, but he soon relapsed into a state of fury. The sight of a looking-glass or of any liquid, excited the most violent agitation. In the morning he had swallowed a few drops of liquid, but when I saw him, a spoonful of water, which was poured within his lips, produced dreadful convulsions in the muscles of the pharynx, and he spat it out violently upon the assistants. The slightest noise, even the mere contact of the fingers with his hair, produced convulsions of

incredible violence. His body bent and unbent itself alternately with an energy which it was difficult to account for. His pulse beat more than a 150 strokes in a minute, and his respiration was interrupted. From all these symptoms, there could be no doubt as to the existence of hydrophobia: it was evident that the patient was on the point of death.

I inquired whether the man had been bitten; and was told that his relations knew nothing about such a circumstance. It appeared that the patient had been in low spirits for some time, because he had not strength enough to continue his business as a journeyman baker; that his melancholy had increased since the receipt of a letter from a woman to whom he was passionately attached; that, two weeks before, he had tried to drown his cares by excessive drinking, which lasted several days, and that the consequence of his excess was a copious bleeding from the nose, for which he consulted a physician, who considered his case to be a congestion of the brain, and ordered thirty leeches to be applied, after having bled him from the arm threetimes. Notwithstanding this treatment, the patient was seized with several paroxysms of fury, in which he threatened all who were near him, and swallowed liquids with difficulty. His relations, finding that his disorder increased, and not being able to restrain him, brought him to the Hotel Dieu at night. I learnt also that the patient had been copiously bled in the foot at the hospital that morning, without any abatement of the paroxysms, which followed each other more rapidly, and increased greatly in violence.

I recollected the results of the

experiments, in which I had seen the phenomena of hydrophobia cease in dogs, by the injection of warm water into the veins; I determined, therefore, to try this extreme measure.

A small syringe for hydrocele, in a very indifferent condition, was brought to me; some water was heated to 30 degrees (Reaumur); I ordered the right arm of the patient to be seized, and I exposed it by making an incision in the sleeve of the strait-waistcoat. I was immediately struck by several little wounds which appeared on the index, and a much larger sized scar on the second bone of the meta-carpus, which appeared to be the effect of a recent application of the cautery. The patient was not in a state to answer any question, and his friends not having been able to give me any information on this subject, I proceeded to open a vein in the fore-arm. This operation, generally so simple, was in this case rendered somewhat difficult, in consequence of the continual motion of the patient. However, five or six strong pupils having seized his arm, I succeeded in passing two threads under the vein, and made an opening in it which enabled me to introduce the mouth of the syringe. It was a quarter past one o'clock when I began to inject into the vein, the quantity of two pounds of water, at 80° Reaumur, having replenished the syringe nine times.

Every time I injected a syringe-full of water, I examined the patient to see whether it had produced any effect which might induce me to suspend the injection; but there was no particular change; he continued to vociferate, and to talk of his inevitable dissolution, &c.; I only stopped because I con-

ceived that I had injected enough to produce a sensible effect. The injection was concluded at 40 minutes past one. I secured the vein above and below the wound. Already an unexpected degree of tranquillity was observed in the patient; his pulse was sensibly diminishing; it fell from 150 to 120; soon after to 100; and twenty minutes had scarcely elapsed before it fell to 80. At this time we observed a phenomenon which no one had ventured to hope for: all the acute and violent symptoms disappeared, with a promptitude which astonished all who witnessed it; I felt at this moment the highest satisfaction which I have ever experienced.

The patient regained the use of his reason; his fury was succeeded by perfect tranquillity; his eyes recovered their natural expression; the convulsive motions ceased; and, what is most extraordinary, he was able to drink without any difficulty a glass of water which was presented to him; in short, the state of the patient had undergone a complete change. Soon after, Caillard caused the strait-waistcoat to be removed from the patient, who immediately asked permission to get up, and go down into the court to make water. It was thought for some time that the request was the effect of some remains of delirium, but he repeated it so often, and in so pressing a manner, that M. Caillard at length consented to it, and was astonished to see the patient, supported by the pupils, walk calmly towards the door. When it was found that he really wanted to make water, he was told that he had better do so in a corner of the room. A few minutes after, he passed about a pint of urine, turbid,

of a deep yellow colour, and so extremely foetid that it was necessary to carry it away immediately from the room.

At this time, which was an hour and a half after the injection, the patient asked for his relations, saw them, conversed with them on his affairs, and resumed his courage and his hope.

The physical state of the patient at this time was very remarkable, and resembled nothing I have ever witnessed. He had no fever; his pulse scarcely exceeded 80; but all the functions which support life, the contractions of the heart, respiration, &c., were performed with a quick tremor. If we touched any muscle, we felt it agitated by the same tremor; in short, the morbid phenomena in this patient were as singular as the novelty of his condition.

In the evening of the 17th he received the succours of religion. In the night he had hemorrhage of the large intestines; the blood came out in clots of nearly a cubic inch, and had the appearance of arterial blood; it was mixed with portions of well-formed fecal matter. A little pain in the abdomen followed this accident; but it was calmed by emollient clysters, and fomentations.

The patient was able to take some chicken broth. He continued to get better without interruption till the fifth day; on that day he complained of acute pains in the wrists, knees, and elbows. The left knee especially was swelled, and the elbow and wrist on the same side. Besides these inflammatory accidents, which had evidently no connexion with the original disease, and probably rose with the method of treatment, the patient laboured under another.

complaint. On the morning that he was brought to the Hotel Dieu, M. Caillard judged it necessary to bleed him copiously in the foot. The bleeding was performed during the most violent state of the symptoms, and the motions of the patient had caused the points of two lancets to be broken in the inner side of the tibia. These extraneous bodies had excited a violent inflammation of the foot and of the posterior part of the leg, and there was every reason to believe that a large abscess had formed in this part.

These different local accidents contributed to threaten the life of the patient; in addition to these, involuntary vomiting of green matter, supervened, the abdomen was painful to the touch towards the cæcum, and fever began to appear. Some persons said incautiously before the patient, that he had been bitten by a mad dog, and that an experiment had been made upon him. From that time his mind became sensibly affected; he despaired of obtaining a cure, and was constantly in apprehension that some person was coming to smother him. At length, on the 8th day after the injection, no hope of a cure remained, and he died early on the 9th day. There was nothing particular in the manner of his death; he was sensible that his death was approaching, and he dined a little before his dissolution.

The body was opened in the presence of a great number of practitioners and students.

Our attention was first directed to the local accidents which had evidently caused the death of the patient; we expected to find a large abscess in the posterior part of the right leg; and we did in

fact find one occupying the space between the projection of the calf and the heel.

We then examined the swelled joints which had occasioned such severe pain to the patient, namely, the knee, the elbow, and the wrist of the left side. We found all these joints filled with pus, and their synovia in a state of violent inflammation. The cartilages, as it often happens, did not participate in this inflammation.

We did not expect to find any severe lesion of the intestinal canal; there was no remarkable appearance in this part; nevertheless, the hemorrhage by the anus, the pain felt by the patient which obliged us to have recourse to emollients, showed that the digestive organs were not in a sound state, and accordingly we found the mucous membrane at the end of the small intestines red by the injection and expansion of its veins. This redness, though less strongly marked, reached as high as the jejunum. At the junction of the ilium with the cæcum there were a dozen little superficial and recent ulcerations. The largest were a quarter of an inch in length, and one-sixth in breadth; and the corresponding mesenteric glands were but little swelled, without any alteration of their structure—a circumstance which proves that they were very recent. There was nothing remarkable in the large intestines, from which the hemorrhage had certainly proceeded. The pharynx, œsophagus, and stomach presented nothing worthy of observation.

But a general phenomenon, which was very remarkable, was the decided state of putrefaction in which we found the blood. This fluid was every where liquid,

and had furnished a great quantity of gas, which filled and distended the heart and large vessels, and had produced sub-peritoneal emphysema of the stomach and intestines. The lungs were sound, though a little swelled in their posterior part; the bronchial divisions were red, but the trachea was sound.*

Nothing particular was observed in the nervous system. Some reddish serum was seen at the base of the cranium, and in the vertebral canal. The veins of the brain, and of the rachidian prolongation, were filled with red liquid blood. The ganglions of the grand sympathetic were in a natural state. The little wounds and scar of the hand were also examined with the greatest care, and all the medical gentlemen present were struck with the resemblance of these wounds to bites, and of the scar to the effects of the recent application of the cautery.

It results from the history of this case, that a disease, which exhibited all the characters of hydrophobia, ceased by the intro-

duction of a pint* of warm water into the veins; that the patient survived this introduction eight days; that no accident appeared to follow from it; and that the death of the patient appears to have been caused by a local disease, which was wholly unconnected with the hydrophobia, and the new mode of treatment.

Experiments on Digestion by Sir A. Cooper.—In conducting these experiments, every practicable uniformity of method was observed. The substances were cut to a determinate form, and weighed. They were then forced into the animal's throat. A given time having elapsed, the dog was killed: and the substances not yet dissolved by the action of the gastric juice, being again weighed, their loss, and consequently their degree of digestibility as food, under the healthy action of the stomach of the dog,† was estimated. Raw food, and the lean parts only of meat, were given, except when the contrary is expressed.

EXPERIMENT I.

Kind of food.	Form.	Quantity.	Animal killed.	Loss by Digestion.
Pork	long and narrow	100 parts	1 hour	10
Mutton	... ..	... ..	... ..	9
Veal	... ..	... ..	... ..	4
Beef	... ..	... ..	... ..	0

EXPERIMENT II.

Mutton	long and narrow	100 parts	2 hours	46
Beef	... ..	... ..	... ..	34
Veal	... ..	... ..	... ..	31
Pork	... ..	... ..	... ..	20

* The rapid putrefaction of the blood, and the considerable development of gas in the vessels and heart, are almost always observed in the bodies of individuals and animals that have died of hydrophobia. In hot weather this appearance is very striking an hour after death. In this point of view, the excessively

foetid state of the urine passed by the patient after the injection is worthy of observation,

* The pint of Paris contains 48 cubic inches.—

† Approaching nearly in structure to the stomach of the human subject.

200* ANNUAL REGISTER, 1823.

EXPERIMENT III.

Pork	long and narrow	100 parts	3 hours	98
Mutton	...	...	...	87
Beef	...	...	...	37
Veal	...	...	...	46

EXPERIMENT IV.

Pork	long and narrow	100 parts	4 hours	100
Mutton	...	...	...	94
Beef	...	...	...	75
Veal	...	...	...	69

It is probable that the digestion of the dog, with regard to pork, differs from that of the human subject; as, when the human stomach is at all weakened, the order of digestion in these meats appears to be,

1 Mutton 2 Beef 3 Veal 4 Pork.

Something also may be attributed to the absence of fat in the above experiments; and more especially the fat of pork.

EXPERIMENT V.

Kind of food.	Form.	Quantity.	Animal killed.	Loss by digestion.
Cheese	square	100 parts	4 hours	76
Mutton	65
Pork	36
Veal	15
Beef	11

EXPERIMENT VI.

Beef	long and narrow	100 parts	2 hours	0
Rabbit	...	...	...	0
Cod-fish	...	...	...	74

Hence it appears that fish is easily digested.

EXPERIMENT VII.

Kind of food.	Form.	Quantity.	Loss by Digestion.
Cheese	long and narrow	100 parts	29
Fat	...	...	70

EXPERIMENT VIII.

To the same dog, beef and a portion of raw potato were given, of each, 100 parts,

	Loss by digestion.
Beef	100
Potato	43

The skin in contact with the potato was not acted upon. Under the skin the potato was dissolved, but the gastric juice had not reached its centre. Where the skin was separated, it was dissolved.

In the dog, according to the following experiments, roast veal is more difficult of digestion than boiled;—

EXPERIMENT IX.

Kind of food.	Form.	Quantity.	Animal killed.	Loss by digestion.
Roast Veal	long and narrow	100 parts	... ..	7
Boiled ditto	... ..	... ..	... ..	30

EXPERIMENT X.

Roast Veal	long and narrow	100 parts	... ..	2
Boiled ditto	... ..	... ..	... ..	31

The following materials were next the subject of trial:—

EXPERIMENT XI.

Material.	Quantity.	Animal killed.	Loss by digestion.
Muscle	100 parts	4 hours	26
Skin	22
Cartilage	21
Tendon	6
Bone	5
Fat	100

The appearances produced were these:—In the muscle, a separation of the fibres by gradual solution of the connecting media first took place; and afterwards, the fibres themselves became broken down into very minute portions.

The skin, upon its under surface, was broken down; but upon its upper surface was not altered.

The cartilage was apparently worm-eaten.

The tendon was reduced to a pulpy gelatinous substance.

FURTHER EXPERIMENT ON THE DIGESTION OF BONE.

EXPERIMENT XII.

		Animal killed.	Loss by digestion.
Thigh bone	100 parts	3 hours	8
Ditto	... ..	6½ hours	30
Scapula	... ..	6 hours	100

In the human subject the stomach is capable of acting upon bone; of which fact, the following case is an example:—

On Monday the 28th of March, a little girl, nearly four years of age, accidentally swallowed a *Domino*, which passed the bowels in rather more than three days. The medical attendant (Mr. Maiden, of Stratford) observing that it was much smaller in size than the other dominoes of which it had been one in the set, was induced to weigh it, and found that its weight was only 34 grains, while that of the others was 56 grains; so that it

lost by digestion 22 grains. These surfaces of the domino, which, when swallowed, were hollow and blackened, as usual, were found prominent like buttons.

Extraordinary instance of suspended Mental and Bodily functions.—The following singular case was related by Sir Astley Cooper, in one of his late lectures:—

“A man was pressed on board of one of his majesty’s ships early in the late revolutionary war. While on board this vessel, in the Mediterranean, he received a fall from the yard-arm, and when picked up,

he was found to be insensible. The vessel soon after making Gibraltar, he was deposited in a hospital at that place, where he remained for some months, still insensible; and some time after he was brought from Gibraltar on board the Dolphin frigate, to a dépôt for sailors at Deptford. While he was at Deptford, the surgeon under whose care he was, was visited by Mr. Davy, who was then an apprentice at this hospital: the surgeon said to Mr. Davy, 'I have a case which I think you would like to see. It is a man who has been insensible for many months; he lies on his back with very few signs of life; he breathes, indeed, has a pulse, and some motion in his fingers; but in all other respects he is apparently deprived of all powers of mind, volition, or sensation.' Mr. Davy went to see the case; and, on examining the patient, found that there was a slight depression on one part of the head. Being informed of the accident which had occasioned this depression, he recommended the man to be sent to St. Thomas's hospital. He was placed under the care of Mr. Cline; and when he was first admitted into this hospital, I saw him lying on his back, breathing without any great difficulty; his pulse regular, his arms extended, and his fingers moving to and fro to the motion of his heart; so that you could count his pulse by this motion of his fingers. If he wanted food, he had the power of moving his lips and tongue; and this action of his mouth was the signal to his attendants for supplying this want.

"Mr. Cline, on examining his head, found an obvious depression; and 13 months and a few days after the accident, he was carried

into the operating theatre, and there trephined. The depressed portion of bone was elevated from the skull. While he was lying on the table, the motion of his fingers went on during the operation, but no sooner was the portion of bone raised than it ceased. The operation was performed at one o'clock in the afternoon; and at four o'clock, as I was walking through the wards, I went up to the man's bed-side, and was surprised to see him sitting up in his bed. He had raised himself on his pillow. I asked him if he felt any pain, and he immediately put his hand to his head. In four days from that time he was able to get out of bed, and began to converse; and in a few days more was able to tell us where he came from. He recollected the circumstance of his having been pressed, and carried down to Plymouth, or Falmouth; but from that moment up to the time when the operation was performed (that is, for a period of 13 months and some days), his mind had remained in a state of perfect oblivion. He had suffered a complete death, as far as regarded his mental and almost all his bodily powers; but by removing a small portion of bone with the saw, he was at once restored to all the functions of his mind, and almost all the powers of his body."

The comparative strength of Animals.—The first instrument for comparing different degrees of animal strength was invented by Graham, and improved by Desguilliers; but being constructed of wooden work, it was too bulky and heavy to be portable; and besides, to make experiments on different parts of the body, several machines were necessary, each suited to the part to be tried.

At the request of Buffon and Guineau, M. Regnier was induced to direct his attention to the subject, and produced a much simpler and more convenient instrument, which has been since known by the name of "Regnier's Dynamometer." This instrument consists of a spring, 12 inches in length, composed of the best steel, well welded and tempered, and bent into the form of an ellipse. When a person compresses this spring with his hands, or when a horse draws it out lengthwise, by pulling the two extremities, the sides of

the spring approach each other; and by an apparatus appended to it, consisting of an index and semi-circular plate, the degree of approach, and consequently of effort employed, is ascertained with the greatest accuracy.

One of the most singular facts respecting man, determined by means of this instrument, is the superiority in point of strength of the civilized over the savage state, and of the Englishman over the Frenchman. The following is one of M. Regnier's tables, made up from actual trial:—

		STRENGTH.	
		With the Hands.	With the Reins.
Savages {	Of Van Dieman's Land.....	30 6	0 0
	Of New Holland	51 8	14 8
	Of Timor	58 7	16 2
Frenchmen		69 2	22 1
Englishmen		71 4	23 8

Auricular Organs.—Sir Everard Home has recently made some inquiries by way of comparison between the auricular organs of man and quadrupeds. The result of his researches seems to prove, that shrill tones, or the upper notes of an instrument, have comparatively little effect in exciting the attention of animals, whilst the full lower tones stimulate them almost to fury. Sir Everard observes, "that the effect of the high notes of the piano-forte upon the great lion in Exeter Change, only called his attention, which was considerable, though he remained silent and motionless. But no sooner were the flat, or lower notes, sounded, than he sprung up, lashed his tail, and yelled violently, and endeavoured to break loose; and became altogether so furious, as to

alarm the spectators present. This violent excitement ceased with the discontinuance of the music. The deep tones of the French horn also produced a similar effect with the lower tones of the piano-forte on the elephant, and other animals, on which the experiment was made.

Insects in Amber.—M. Schweigger, having very attentively examined the insects contained in the bits of yellow amber found off the coasts of Prussia, and which at first sight might be thought to be the same as the present insects of that country, has discovered, that they in fact often belong to the same genera, but not to the same species as those living at the present day. Among the small number of insects described and figured in the work of this author, are an unknown species of scorpion, and a spider

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which differs from all the species living at present, in not having the head of a single piece with the thorax. Mr. Germar, professor at Halle, has given the result of a similar investigation in an Entomological Journal, where he tries to determine some species of those amber insects, the analogues of which are not found alive at the present day.

Animalcules in the Arctic Ocean.

—Captain Scoresby, in his voyage to Spitzbergen, observed in the sea a colour that had “the appearance of an admixture with flowers of sulphur or mustard: whenever the ship passed through any of this peculiar water, the patch or streak was divided, and did not again unite; from which circumstance it appeared, that the colouring matter was quite superficial. Suspecting it to be of animal nature, a quantity of the yellowish-green water was procured; and, on examination by the microscope, was found to contain animalcules in immense numbers. The larger pro-

portion of these, consisting of a transparent substance of a lemon-yellow colour, and globular form, appeared to possess very little power of motion; but a part, amounting, perhaps, to a fifth of the whole, were in continual action. Some of these being seen advancing by a slightly-waving motion, at the rate of 1-180th of an inch in a second, and others spinning round with considerable celerity, gave great interest and liveliness to the examination. But the progressive motion of the most active, however distinct and rapid it might appear under a high magnifying power, was, in reality, extremely slow; for it did not exceed an inch in three minutes. At this rate, they would require 151 days to travel a nautical mile. The Condor, it is generally believed, could fly round the globe at the equator, assisted by a favourable gale, in about a week; these animalcules, in still water, could not accomplish the same distance in less than 8,936 years.”

GEOGRAPHY, ASTRONOMY, &c.

Ascent of Mount Rosa.—The 25th volume of the Memoirs of the Royal Academy of Sciences of Turin contains an account of a journey to the top of the southern peak of Mount Rosa, a singular mountain of the Pennine Alps, forming a circus of gigantic peaks round the village of Macugnaga, and supposed to derive its name from some resemblance to an expanded rose. Its summit has hitherto been regarded as the most elevated point in Europe, except

that of Mont Blanc; and the observations made on this occasion by Messrs. Zumstein and Vincent, the enterprising individuals who accomplished the ascent, tend to prove its superior height even to Mont Blanc. Vincent first reconnoitred the mountain, particularly the frozen steep leading to the south-west peak. He proceeded across immense beds of snow to the summit of a lofty pyramid of ice, where, but for a heavy snow-storm beneath him, a most extensive

prospect would have presented itself. At this point he fixed a cross as a signal, and returned to his companion. On the 11th of August, 1819, the two travellers, furnished with proper philosophical instruments, as well as with cramps to their shoes, hooks, and poles whod with iron, set out attended by a hunter. They reached the region of eternal snow, and passed those miners' cabins which are esteemed the most elevated dwellings in Europe, and habitable only during two months in the year. Hence every step of their progress required the aid of their hooks and poles, and they were obliged to protect their eyes with veils and glasses. They soon found themselves on the glaciers, and saw the summit of Mont Blanc, illumined by the rays of the rising sun. For several hours they advanced across a sea of ice, assisted by the solid snow, which formed bridges from one mass of ice to another. Thus they reached the rock at which the glacier of Embours commences. Here they were 11,256 feet above the level of the sea: vegetation had nearly disappeared, only a few lichens and umbelliaras being discoverable. The ice now became more broken up, and their passage over masses of snow of uncertain solidity, with deep abysses beneath them, was far from enviable. A violent snow-storm now overtook them, from which they found shelter under an impending mass of ice, of threatening appearance, and which, the following day, actually fell with a horrible crash. The remainder of their journey, although short, was the most perilous, as they had to climb an almost perpendicular acclivity, by means of steps, which they cut as they proceeded, whilst a terrific gulf

yawned beneath their feet, into which the slightest trip must have precipitated them. On the summit of the south-west peak, which appeared to be 13,920 Paris feet above the level of the sea, they drank to the health of Saussure and Humboldt. By their observations made here, the highest peak of Mount Rosa appeared to be 15,600 Paris feet above the level of the sea, whereas that of Mont Blanc is only 14,793.

Russian Voyage of Discovery.

—The ships Wostok and Mirni, the first commanded by captain Bellinghausen, the second by captain Lazarew, sailed from Cronstadt, July 3rd, 1819, and having touched at Copenhagen, Portsmouth, and Rio de Janeiro, proceeded to the South Polar Seas. On the 24th of December, they were in the 52nd degree of latitude, and perceived land covered with snow: the following day, they approached King George's Island, the N.E. coasts of which were surveyed by Cook: they spent two days in surveying the S.W. coasts. On the 17th they passed Clerk's Rock, steering towards Sandwich Land; and, on the 22nd, discovered a new island, to which captain B. gave the name of Marquis of Traverser's I. (the Russian Minister of the Marine.) This island contained a peaked mountain, which was constantly smoking, and surrounded by volcanic substances. They ascended it; but the expedition was without naturalists, those who had engaged to accompany it not having joined at the appointed time. On the 27th, they passed the isles De La Rencontre, at the distance of 30 miles; and on the 29th, reached the island called by Cook, Sandwich Land. The great English navigator thought that

caples Saunders, Montague, and Bristol, were, or at least might be, the points of a land of a certain extent. The Russians sailed round them, surveyed them carefully, and proved that they are only islands of small compass, as rocky and as sterile as King George's Island. Perpetual snow covers those black rocks, which rise from the bosom of an ocean enveloped in eternal fog. The moss, the only vegetation of King George's Island, disappears entirely at Sandwich Land, which ought to be called the Southern Sandwich Islands, to distinguish them from those in the great ocean. Floating ice began to fill the sea; the Walruss, and the Penguins in great numbers, chased the fish. On the 4th of January 1820, the expedition, after reaching lat. $60^{\circ} 30'$, left Sandwich Land, and sailed eastward, following at first the parallel of 59° , but gradually it reached, in an oblique line, $69^{\circ} 30'$. In this latitude a barrier of eternal ice arrested the navigators. The Russians were more than once on the point of perishing in these frightful seas; the floating ice threatened to dash their vessels to pieces; and the enormous waves, disengaging them from the shock of the ice, exposed them to the danger of falling over. They suffered dreadfully from the snow and humidity, though it was the summer season in that hemisphere. Happily the most violent tempests did not occur till after the 7th of March; and, on the other hand, it was from the 3rd to the 7th of March that the masses of floating ice were the most numerous. These dates prove, that, even in these high latitudes, the approach of the equinox is accompanied, as among us, by great commotions in the air and

the water. The *Aurora Australis* often charmed the expedition. It appeared to come constantly from the Pole, and not from all the points of the horizon; it delighted the navigators by the variety and brilliancy of its colours, which resembled those of the rainbow. It assumed a thousand momentary forms: sometimes, like a whitish column, it arose steadily in the sky; sometimes, broken into bright rays, it seemed to traverse the region of the clouds. As early as the fifth of March, the *Mimi* had parted from the *Wostok*, to proceed in a lower latitude to Port Jackson,—a very judicious arrangement, because the twofold route of these vessels across the Polar Seas to the south of Sandwich Land, of the Island of Circumcision and Kerguelen's Land, has swept a great extent of seas hitherto unknown, and almost demonstrated that no land of any considerable extent exists there, since the two Russian vessels, taking two different routes, did not meet even with an inlet. On the 19th of March the *Wostok* steered northwards, and on the 30th anchored in Port Jackson, after a cruise of 130 days in the south Polar Seas. The *Mimi* joined seven days afterwards. This first campaign was remarkable: it conducted the Russian flag through a part of the ocean where captain Cook had indeed made some bold advances, and rather nearer to the Pole than those of captain Bellinghausen; but the latter, by sailing on a parallel, remained longer within the Polar circle than Cook.

On the 31st of October 1820, the expedition quitted Port Jackson to enter the Polar Seas a second time. On departing from

Macquarrie Island the navigators began to sail round the Pole, which they endeavoured to approach as near as they could: once only they reached the 70th degree. Near Macquarrie Island they saw many English whalers, who were hunting sea-elephants and seals, which are extremely numerous on the coasts of that island. They here, for the first time, felt a submarine earthquake. The shock was very violent, and the whalers had noticed three during the night. According to their account, an earthquake is felt on those seas every month.

On the 11th of January 1821, they at length discovered an island surrounded with ice, to which they gave the name of Peter Island. It is in $69^{\circ} 30'$ south lat. and in 91° west longitude of Greenwich ($98^{\circ} 20'$ west of the meridian of Paris.) It is the meridian of the Gallapagos islands. On the 17th of January, still sailing under the same latitude, they discovered a coast environed with ice, the end of which they did not distinctly see. They called it the Coast of Alexander I., and sailed along it from the 73rd to the 74th degree of west longitude from Greenwich. They were inclined to believe that this coast is of no great extent. These two discoveries are highly interesting: they are the two nearest points of land to the South Pole with which we are acquainted, unless a vague rumour should be confirmed of land discovered in the Southern Ocean by an American whaler in lat. 72° . From Alexander's Coast the Russians repaired to the islands of New Shetland, which they examined with great care and accuracy. They increased the number by six, which makes the number of new islands added

by this voyage to geography, amount to thirty. Those of New Shetland are smaller, and especially narrower than they were supposed to be from the account of Mr. William Smith. The Russians, when to the South of several of these islands, saw distinctly the English and American whalers at anchor to the North of them. The expedition proceeded from this point to New Georgia, whence it sailed, in 1819, to traverse the Polar Seas. Thus returning to the same point, it had completed the circumnavigation of the globe in the Southern Frigid Zone. Returning to Europe, it touched at Rio Janeiro and Lisbon, and arriving at Cronstadt 24th of July 1821, ended this great voyage, which had lasted two years and twenty-one days, during which time only three persons out of two hundred died.

Refraction of Light in the Arctic Seas.—"The coast that has just been described," says captain Scoresby, "is in general so bold as to be distinctly visible, in the ordinary state of the atmosphere, at the distance of sixty miles; but on my last voyage into these regions, one part of this coast was seen, when at more than double this distance. The particulars were these:—Towards the end of July 1821, being among the ice in lat. $74^{\circ} 10'$, and longitude, by lunar observation and chronometer (which agreed to twenty-two minutes of longitude, or within six geographical miles), 12. 30. 15. W., land was seen from the mast-head to the westward, occasionally, for three successive days. It was so distinct and bold, that captain Manby, who accompanied me on that voyage, and whose observations are already before the public,

was enabled, at one time, to take a sketch of it from the deck, whilst I took a similar sketch from the mast-head, which is preserved in my journal of that year. The land at that time nearest to us was Wollaston's Foreland, which, by late surveys, proves to lie in latitude $74. 25.$ (the middle part of it), and longitude $19. 50.$; the distance, therefore, must have been at least 120 miles. But Holme's Foreland, in $21. W.$ long., distinguished by two remarkable hummocks at its extremities, was also seen; its distance, by calculation, founded on astronomical observations, being 140 geographical, or 160 English miles. In an ordinary state of the atmosphere (supposing the refraction to be one-twelfth of the distance), any land, to have been visible from a ship's mast-head, 100 feet high, at a distance of 140 miles, must have been at least two nautical miles, or 12,000 feet in elevation; but, as the land in question is not more than 3,500 feet in altitude (by estimation), there must have been an extraordinary effect of refraction equal to 8,500 feet. Now, the angle corresponding with an altitude of 8,500 feet, and a distance of 140 miles, is $34'' 47'$ the value of the extraordinary refraction, at the time the land was thus seen; or, calculating in the proportion of the distance, which is the most usual manner of estimating the refraction, it amounted to one-fourth of the arch of distance, instead of one-twelfth, the mean quantity. That land was seen under these circumstances there cannot be a doubt; for it was observed to be in the same position, and under a similar form, on the 18th, 23rd, 24th, and 25th July, 1821, when the ship was in

longitude from $12^{\circ} 30'$ to $11^{\circ} 50' W.$, and on the 23rd it remained visible for twenty-four hours together, and, though often changing its appearance, by the varying influence of the refraction, it constantly preserved a uniformity of position, and general similarity of character. In my journal of this day, I find I have observed, that my doubts about the reality of the land were now entirely removed, since, with a telescope, from the mast-head "hills, dells, patches of snow, and masses of naked rock, could be satisfactorily traced during four-and-twenty hours successively. This extraordinary effect of refraction, therefore, I conceive to be fully established."

Aurora Borealis as observed by Captain Scoresby.—It commenced in the north, and extended itself in an arch across the zenith, towards the south. A sort of crown was then formed in the zenith, which was most brilliantly illuminated, and gave out innumerable coruscations of great beauty, and with astonishing velocity. The light appeared to be equal to that of the full moon; and various colours, particularly blue, green and pink, were stated by my officers to have been clearly observed. Its extreme distinctness, and the boldness of the coruscations, seemed to bring it to a low elevation; and, when the rays were darted towards the ship, it appeared almost to descend to the very mast-head. Between the parallels of 62° or 63° and 70° , the aurora borealis is of a very common occurrence, in the spring and autumn of the year. On the 3rd of April 1820, I observed the most interesting display of this meteor that nearly forty passages to and from the fishery had afford-

ed. The evening was fine and clear, the wind westerly. The aurora first appeared in the north, and gradually extended in a luminous arch across the zenith, almost to the southern horizon. A dim sheet of light then suddenly appeared, and spread over the whole of the heavens to the eastward of the magnetic meridian, while only a few insulated specks were visible to the westward. The eastern aurora were grey and obscure, and exhibited little motion; but the arch extending across the zenith, showed an uncommon playfulness of figure and variety of form. Sometimes it exhibited a luminous edge towards the west, in some places concentrated into a fervid brilliancy. The rays were a little oblique to the position of the arch; but generally parallel to each other, and commonly ran in the direction of the magnetic north and south. At one time they extended sideways against the wind; at another in the contrary direction. Now they shot forward numerous luminous pencils, then shrunk into obscurity, or dispersed into the appearance of mere vapour. The colours were yellowish-white and greyish-white. All the stars of the fourth magnitude were visible through the meteor, even in its most vivid coruscations. *Ursa Major* was at one time encircled with such a characteristic blazonry of light, that the Bear seemed to spring into figure, and to be shaking his shaggy limbs, as if in contempt of the less distinguished constellations around him. The Pleiades were almost observed by the light produced by the aurora; though Venus, and all the superior stars, shone with becoming splendor. I have never been sensible that the shooting of the aurora was accompanied by any noise; the

turbulence, indeed, of the water at sea, or noise of the sails during calms, prevent the light sounds from being heard.

Earthquake in Chile.—A Government Gazette of Chile, published at Santiago on the 27th of November, contains an account of this dreadful calamity.

A despatch of the supreme director, who happened to be at Valparaiso at the time of the earthquake, is dated at 10 at night on the 20th of November, and is addressed to the ministers, of whom he asks a report respecting the state of the capital. He says, that, on the preceding night, at 15 minutes before 11 o'clock, Valparaiso had received so severe a shock, that in two or three minutes all the buildings were either considerably damaged or thrown down; the sea receded and fell more than 12 feet; the movement of the earth, although weak, did not cease for an instant till half-past four in the morning, after which shocks more or less strong were felt every five or seven minutes. The inhabitants had retired to the heights, where they had encamped on the 20th. Fifteen or twenty individuals, being mostly soldiers, women, and children, were known to have perished in the ruins; it was, however, difficult, on account of the confusion, to ascertain the number of the victims, which it was feared would be found to be much larger. No public officer nor person of note had perished.

The reply of the ministers is dated Santiago, 22nd November; and states, that the capital had not experienced the same terrible catastrophe which had ruined Valparaiso.

On the 19th November, at ten minutes before eleven o'clock at night, a low heat and an extreme

rarefaction of the air, having been previously observed for three or four hours, a horrible noise announced, and by a few seconds preceded, an earthquake such as had not been experienced in Chile since 1730: its explosion showed itself by two strong shocks, which lasted two minutes and a half or three minutes; the latter, stronger than the first, was only of about twenty seconds. It was at first thought that the whole city was destroyed: the consternation was general, but fortunately no lives were lost, and only a few persons were hurt by falling fragments or tiles. The action of the earthquake was of the trembling description, and its direction from N.E. to S.W. Some walls of the churches of La Merced, San Augustin, San Francisco, &c., have fallen down; the Mint, the interior of the Cathedral, the directorial Palace, the steeples of the Treasury, and of the prison, are also damaged, and in some places threaten to come down. The walls of houses which were not very solid are much damaged. The earth was almost constantly in motion, though slight and only perceptible by the pendulum; but at times there were smart and sharp shocks.

On the 20th, at 3h. 8m. in the morning, there was a slight shock, without any sensible noise: at 3h. 42m., a meteor ran in the same direction as the earthquake, from N.E. to S.W., in the form of a large train of fire, which for about four seconds produced a sort of

strong twilight. It is reported, that various other small meteors were seen towards the Cordillera. At 5h. 24m., there was another slight shock, preceded by considerable noise. Shocks succeeded each other rapidly, and increased the consternation, especially amongst women; most families have abandoned the city and retired to the neighbouring country houses; the lower classes are encamped in the public squares, the dikes, and aqueducts.

On the 21st, at 4h. 25m. in the morning, and at 11h. 5m., other slight shocks were felt. Several families came to town to spend the day in their houses, with an intention to return to the country and to sleep there.

The moon was full at 6h. 30m. p. m.

This day, at 4h. 30m. in the morning, and 9h. 12m. and 9h. 22m. three smart shocks; they continue to this hour, seven o'clock in the afternoon; but some of them almost imperceptible.

Scheme for sending Despatches to the East Indies by a Steam-Packet.—The Royal George, sir John M. Doyle, ran from Vigo to Plymouth in 84 hours, being nine and a half degrees, 570 geographic or sea miles; and from Plymouth to Portsmouth in 20 hours, being 135 miles; the former was at the rate of six miles six furlongs and a quarter, the latter nearly at the same rate. The following calculation in another sea is at eight miles, and on land at the rate of five miles an hour:—

From London to Marseilles, or Toulon, in France	540	4 12	by land.
From the coast of France to Malta.....	690	3 3	by sea.
From Malta to Alexandria in Egypt	480	3 12	by sea.
From Alexandria, by Cairo, to Suez	120	1 0	by land.
From Suez to Mocha, in the Arabian Gulf....	1020	7 0½	by sea.
From Mocha to Bombay	1500	7 19½	by sea.

If by sea, and round the southern coast of Africa; it will stand thus—
nearly seven geographical miles an hour :—

From Plymouth to Lisbon	720	6	4	6-7
From Lisbon to the Cape Verd Islands	1430	8	12	2-7
From Cape de Verd Islands to St. Helena.....	2160	12	17	4-7
From St. Helena to the Cape of Good Hope	1800	10	17	1-7
From the Cape of Good Hope to Johanna	2100	12	12	
From Johanna to Bombay	1800	10	17	1-7

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CHEMISTRY.

A new Fluid, with remarkable Physical Properties, discovered in the Cavities of Minerals.—A new fluid, of a very singular nature, has been recently discovered by Dr. Brewster, in the cavities of minerals. It possesses the remarkable property of expanding about thirty times more than water; and, by the heat of the hand, or between 75° and 83°, it always expands so as to fill the cavity which contains it. The vacuity, which is thus filled up, is, of course, a perfect vacuum; and at a temperature below that now mentioned, the new fluid contracts, and the vacuity re-appears, frequently with a rapid effervescence. These phenomena take place instantaneously, in several hundred cavities, at the same time. The new fluid is also remarkable for its extreme volubility; adhering very slightly to the sides of the cavities; and is likewise distinguished by its optical properties. It exists, however, in quantities too small to be susceptible of chemical analysis. This new fluid is almost always accompanied with another fluid like water, with which it refuses to mix, and which does not perceptibly expand at the above-mentioned tem-

perature. In a specimen of Cymophane, or Chrysoberyl, Dr. Brewster has discovered a stratum of these cavities in which he has reckoned; in the space of 1-7th of an inch square, thirty thousand cavities, each containing this new fluid, a portion of the fluid like water, and a vacuity besides. All these vacuities simultaneously disappear at a temperature of 83°. If such a fluid could be obtained in quantities, its utility in the construction of thermometers and levels would be incalculable. There are many cavities in crystals, such as those opened by sir Humphrey Davy, which contain only water, and which, of course, never exhibit any of the properties above described.

Method of forming Three Haloes artificially round the Sun, or any luminous object.—The following experiment, which illustrates in a pleasing manner the actual formation of Haloes, has been given by Dr. Brewster;—Take a saturated solution of alum, and having spread a few drops of it over a plate of glass, it will rapidly crystallize in small flat octohedrons, scarcely visible to the eye. When

this plate is held between the observer and the sun, or a candle, with the eye very close to the smooth side of the glass plate, there will be seen three beautiful haloes of light, at different distances from the luminous body. The innermost halo, which is the whitest, is formed by the images refracted by a pair of faces of the octohedral crystals, not much inclined to each other; the second halo, which is more coloured, with the blue rays outwards, is formed by a pair of faces more inclined; and the third halo, which is very large and highly coloured, is formed by a still more inclined pair of faces.

Each separate crystal forms three images of the luminous body, placed at points 120° distant from each other, in all the three haloes; and as the numerous small crystals have their refracting faces turned in every possible direction, the whole circumference of the haloes will be completely filled up.

The same effects may be obtained with other crystals; and when they have the property of double refraction, each halo will be either doubled, when the double refraction is considerable, or rendered broader, and otherwise modified in point of colour, when the double refraction is small. The effects may be varied, by crystalizing upon the same plate of glass, crystals of a decided colour, by which means we should have white and coloured haloes succeeding each other.—*Edin. Phil. Jour.*

Variation in the Bulbs of Thermometers.—In mercurial thermometers, with a perfect vacuum above the mercury, M. Flauguergues has observed, that the freezing point has gradually risen nine-tenths of a degree, and has gone on increasing for years. He attri-

butes this to a permanent change of form, produced by the constant pressure of the atmosphere on the bulb. He therefore recommends, that thermometers should be made with open terminations. The same fact had been long before observed by M. Angelo Bellani, of Milan, who mentions a very pretty experiment, for shewing that it arises from the glass. Take a mercurial thermometer, which has not been exposed for some months to temperatures near that of boiling water, whose scale rises to the boiling point or higher, and whose degrees are at least a line long, so that tenths of a degree can be easily seen. Having carefully marked the freezing point, plunge it in boiling water, and, upon replacing it in melting ice, it will be found, that the freezing point has sunk $\frac{1}{4}$ of a degree, in consequence of the expanded glass not having resumed accurately its original form. Hence it follows, that the new barometer of the rev. Mr. Wollaston must be liable to error from this cause.—*Bibl. Univers.*

New Form of the Voltaic Apparatus.—Mr. Pepys has constructed, at the London Institution, a single coil of copper and zinc plate, consisting of two sheets of the metals, each fifty feet long, by two feet broad, having therefore a surface of 200 square feet; they are wound round a wooden centre, and kept apart by pieces of hair-line, interposed at intervals between the plates. This voltaic coil is suspended by a rope and counterpoise over a tub of dilute acid, into which it is plunged when used. It gives not the slightest electrical indications to the electrometer; indeed, its electricity is of such low intensity, that well-burnt charcoal acts as an insulator to it;

nor does the quantity of electricity appear considerable, for it with difficulty ignites one inch of platinum wire of $\frac{1}{4}$ inch diameter. When, however, the poles are connected by a copper wire $\frac{1}{4}$ inch diameter and 8 inches long, it becomes hot, and is rendered most powerfully magnetic, and the instrument is admirably adapted for all electro-magnetic experiments.

Expansive force of Coal Gas.—

The whole mechanical power of an explosion of 15,000 cubic feet of a mixture of coal gas, and common air, is equal to that of the explosion of 6 cubic feet, or 4 barrels of gunpowder; and if we suppose the heated gases in both cases to escape, and mix with the common air in a building containing 30,000 cubic feet, so as to produce an effect commensurate to the temperature of the whole mixture, the explosion of about 15 cubic feet, or 10 barrels of gunpowder, would be required, in order to produce, like the gas, a force of about 10 atmospheres for the whole space. It must, however, be recollected, that gunpowder, thus disposed, is very unfavourably situated for producing violent effects; and that a much smaller quantity, in ordinary cases, would be more formidable than the explosion of the coal gas.—A more precise idea of the effects of such an explosion may be obtained from the calculation of its projectile effects, which would carry some parts of the wall of the surrounding building to a height of nearly 150 yards, and others to a distance of nearly 300. If the walls were in immediate contact with the gasometer, the height and distance would be about twice as great. But a roof of carpentry and tiles being lighter, would be carried higher, while the

lateral force of the explosion would be diminished.—Supposing the explosion of the gas to be unconfined, the shock would throw down a brick wall, 9 feet high, and 18 inches thick, at the distance of about 50 feet from the centre; it would probably break glass windows at 150 yards, and at 300, would produce an effect similar to the instantaneous impulse of a very high wind.

*Magnetism by Percussion.—*Mr. Scoresby has instituted a series of experiments, to determine magnetism by percussion with more precision; and some of his results deserve attention. When a bar of soft-steel, six inches and a half long, and a quarter of an inch diameter, held vertically, and resting upon freestone, was struck 17 blows with a hammer, it acquired the power of lifting $6\frac{1}{2}$ grains? 22 blows did not augment the force. When the bar rested vertically upon a parlour poker (previously deprived of magnetism), 42 blows gave it the power of lifting 88 grains, and 90 blows, with a larger hammer, augmented the lifting power to 130 grains. The poker was also rendered magnetic. Farther hammering rather diminished than increased the power. On inverting the bar, a single blow nearly destroyed the magnetism; two blows changed the poles. Hammering the bar in the plane of the magnetic equator, also destroyed the polarity. The magnetism by percussion was augmented when the length of the bars was increased.

On the Effects of Magnetism on Chronometers, by P. Leconte, Esq.—I find, says he, that the subject of the iron in ships affecting chronometers has employed Mr. Barlow's attention as well as my own,

and that he attributes it to the same cause that I do, viz. a portion of fixed magnetism in the steel of the balance or its spring. For my part, I think it will not be found possible to ascertain any ship-rate for chronometers which shall correct the errors arising from this cause, from the direction and strength of the attraction of the iron in a ship undergoing such considerable changes as it does in different dips. I always considered the remedy to lie alone in the hands of the maker, who should carefully ascertain that no steel whatever in a chronometer possesses any fixed magnetic quality; and I pointed this out to a chronometer-maker in London in November 1820, shewing him, amongst a number of balances, those which had any portion of fixed magnetism, and those which had not, &c.; but it is requisite, that, in this respect, not only the balance and its spring should be attended to, but that all the steel in the instrument should be deprived of this quality, particularly the steel-spindles of the fusee, barrel, &c. for it is to magnetic attraction, residing wholly in the machine, that I attribute the alteration which takes place in the rates of chronometers on shore in different parts of the world, and which is often very considerable. These attractions may act in several ways. If there is fixed magnetism in the balance, and variable magnetism in the spindles of the wheels, the rate may be altered by any considerable alteration in the dip, as the direction and strength of the variable magnetism will thereby become changed; the same effect may be produced if the fixed magnetism is in the spindles of the wheels, &c. and the variable magnetism in the steel of the balance.

The balance-spring will likewise be acted on under similar circumstances; I should therefore think it absolutely necessary, that all the steel in the machine should be divested of the fixed magnetic quality; the variable ones will have no effect on each other: this can always be done by the action of fire, and if the mechanic, in the process of hardening and tempering the steel, always carefully cools it in a direction at right angles with the dipping-needle, it will rarely be found to possess any portion of fixed magnetism, as, on the contrary, it will be found, that small steel bodies, if heated red-hot, and cooled in the direction of the dipping-needle, will often require this quality.

I am of opinion, that this fixed magnetism, if carefully excluded from the machine at first, will not be found to return from the continued motion of its parts.

A very necessary precaution with respect to the use of these instruments, is always to hang them up on board ship at a considerable distance from the compasses. I have known an excellent chronometer rendered useless for the time, by being kept within two feet of the cabin compass, and which, when removed to a different part of the cabin, performed remarkably well.

New Chemical Combination.—M. Dobereiner, professor of Chemistry in the University of Jena, by a series of entirely new experiments, has ascertained that platinum, the heaviest of all elementary substances, when reduced into very fine particles, produces by simple contact with hydrogen gas, (the lightest of elementary substances) an electrical or dynamic combination, which, if brought into contact with hydrogen gas or with steam—

spheric air, instantly dissolves itself yielding fire and water. To prove this important fact by a brilliant experiment, M. Dobereiner makes hydrogen pass from a reservoir, by a capillary tube, curved below, upon pure platina in powder, which is contained in a glass tunnel, hermetically sealed at the point, so that the gas mingles with the atmospheric air before it touches the platina. The moment that the current of gas reaches the surface of the platina, the power of that metal becomes red and burning, and this phenomenon continues as long as the stream of gas is directed upon it.

New compound of Iodine. Iodide of Carbon?—Messrs. Ferrari and Frisiani, whilst preparing the iodate and hydriodate of potassa, observed the production of a new compound of iodine. It may be obtained thus:—Heat an ounce of iodine, with a little water, on a sand bath, and add to it, by degrees, about two ounces of potash; when the two salts above mentioned will be formed. In order to saturate the excess of alkali, pour in, by degrees, a tincture composed of one ounce of iodine to six ounces of alcohol, specific gravity 837. When the re-action of the tincture on the potash is finished, pour the hot liquor on a filter, and the liquid which passes through will, as it cools, deposit yellow crystals, of the substance; they should be carefully washed in cold water, to remove all the iodate and hydriodate of potash. Another method is, to take the alcoholic solution of the two salts, prepared as above, and distil it: and when the fluid which comes over ceases to be coloured, to change the receiver; the colourless liquor then obtained, upon cooling, deposits very pure

crystals, of the substance in question. If the distillation be suspended from time to time, and the retort allowed to cool, beautiful crystals of the substance form in it. If strong alcohol be used in the above operations, and but little water, then, upon adding water to the filtered liquor, the substance is precipitated in abundance. This substance is solid, of a lemon yellow colour, tastes like nitric ether, and has an odour like that of saffron. Its form is a compressed hexahedron (*esadro schiacciato*). It is insoluble in water, alkalies, or acids, but soluble in alcohol and ether. It fuses and sublimes by a gentle heat, but at a higher temperature becomes discoloured, is decomposed, and evolves vapours of iodine, leaving behind a mere trace of carbon.—*Giornale de Fisica.*

Vegetation in Atmospheres of different Densities.—The following experiments have been made by professor Dobereiner of Jena. Two glass vessels were procured, each of the capacity of 920 cubic inches, two portions of barley were sown in portions of the same earth, and moistened in the same degree, and then placed one in each vessel. The air was now exhausted in one, till reduced to the pressure of 14 inches of mercury, and condensed in the other, until the pressure equalled 56 inches. Germination took place in both nearly at the same time, and the leaflets appeared of the same green tint; but at the end of 15 days the following differences existed. The shoots in the rarefied air were six inches in length, and from nine to ten inches in the condensed air. The first were expanded and soft; the last rolled round the stem and solid. The first were wet on their surface, and especially towards the en-

tremities; the last were nearly dry. "I am disposed," says M. Dobereiner, "to believe, that the diminution in the size of plants, as they rise into higher regions on mountains depends more on the diminution of pressure than of heat."

Sugar for preserving Fish.—Dr. M'Culloch, of Edinburgh, has ascertained that the antiseptic quality of sugar is sufficient to preserve fish in the most excellent condition. He states, that this substance is so active, that fish may be preserved in a dry state, and perfectly fresh, by means of sugar alone, and even with a very small quantity of it. He has thus kept salmon, whittings, and cod, for an indefinite length of time; and by this simple means fresh fish may be kept in that state some days, so as to be as good when boiled as when just caught. It is added, that "if dried and kept free from mouldiness, there seems no limit to their preservation; and they are much better in this way than when salted. The sugar gives no disagreeable

taste. This process is particularly valuable in making what is called kippered salmon: and the fish preserved in this manner are far superior in quality and flavour to those which are salted or smoked. If desired, as much salt may be used as to give the taste that may be required; but this substance does not conduce to their preservation. In the preparation, it is barely necessary to open the fish and to apply the sugar to the muscular part, placing it in an horizontal position for two or three days, that this substance may penetrate. After this it may be dried; and it is only further necessary to wipe and ventilate it occasionally, to prevent mouldiness. A table spoonful of brown sugar is sufficient in this manner for a salmon of five or six pounds weight; and if salt is desired, a tea-spoonful or more may be added; saltpetre may be used instead, in the same proportion, if it is desired, to make the kipper hard."

AGRICULTURE AND BOTANY.

On the destruction of Caterpillars on fruit trees.—In May last I (Mr. Sweet, Bristol,) found the gooseberry caterpillar had begun its usual ravages on the leaves of a quarter of gooseberries in my nursery near Bristol. In the last and former season, among many other applications which had been tried, in vain, lime had been used, but in a dry state. I resolved this year to try the effect of it in a different way: a bushel of stone lime was therefore slacked, and covered up

for a few hours, to make it more soft and fine; it was then sifted through a mason's sieve of the finest kind, which made it almost an impalpable powder. A man with a light garden-engine was then directed to play water in different directions among the leaves, so that every part of the plants was wet; another man followed closely with a coal-box full of the fine lime-powder, scattering it with his hand, so as to cause it to appear like smoke, and to spread itself on

the under as well as the upper part of the leaves, so that not a single leaf was left untouched by it. In the course of the day I noticed, that, though some of the insects were still alive, they were much injured, and on the following day I could find none alive; some stragglers came on some time afterwards, but they were so few, that I did not think it worth while to apply the lime a second time. After the application the trees recovered their natural colour, and grew with their usual vigour.

A day should be chosen for the operation when little wind is stirring, but particularly when there is no rain: I think the absence of sun, or a cloudy day, preferable for the operation. The earlier the remedy is applied after the insect is discovered, the better; and if it should be necessary to use it a second time, it must be done before the fruit changes colour, lest it be disfigured by the application of the lime. The lime need not to be thrown on thick, but should be well divided with the hand in casting it, so that every part of each leaf be touched. In small gardens, where no engine is kept, a watering-pot or syringe may be used, so as to wet every part of the tree. Encouraged by my success on the gooseberry bushes, I tried the lime against the black leech-like insect, or maggot,* which is so destructive to thorns, pear, and cherry-trees; and found that wherever the lime touched the animals, if they were wet it destroyed them. It being difficult water high standard trees, I took the opportunity very early in the morning before the dew was eva-

porated, to apply the powder; slacking the lime over-night to have it ready. The powder was tried after a shower of rain, but rain following, the operation did not answer: where, however, these insects can be got at, they are more easily destroyed than those which infest the gooseberry bushes. Pear-trees against walls are often injured by these leech-like insects, but they can be watered and limed without difficulty. I have tried lime water thrown by the garden-engine, the lime being just slacked in the water making it warm: this answered tolerably well, but it required more lime, and rendered both the trees and the earth of the borders on which it fell unsightly. A decoction of elder-leaves mixed with soft soap was also applied: this had the effect of destroying the insects but the preparation is more expensive, and the operation more troublesome, than that with lime-powder.—*Trans. Horti. Society.*

Utility of Sparrows.—Mr. Bradley shews that a pair of sparrows, during the time they have their young to feed, destroy, on an average, every week, 3,360 caterpillars. This calculation he founds upon actual observation. He discovered that the two parents carried to the nest forty caterpillars in an hour. He supposed the sparrows to enter the nest only during twelve hours each day, which would cause a consumption of 480 caterpillars. This sum gives 3,360 caterpillars extirpated weekly from a garden. But the utility of these birds is not limited to this circumstance alone, for they likewise feed their young with butterflies and other winged insects, each of which, if not destroyed in this manner, would be the parents of hundreds of caterpillars.

* It is the larva of a dipterous insect, or two-winged fly.

Gooseberries.—The list of cultivated gooseberries includes 47 different sorts of the red gooseberry, 35 of the yellow, 53 of the green, and 44 of the white; of these, the weights of the best specimens are given. The largest red is the Top Sawyer, which weighed 26 dwts. 17 grains; the largest yellow is the Nelson's Waves, 21 dwts. 6 grains; the largest green is the Ocean, 26 dwts. 11 grains; and largest white, the Smiling Beauty, 22 dwts. 18 grains.

Succory as blanchéd salad.—A variety of this plant, improved by cultivation, is much employed in France. The young leaves are used in salad; and for procuring them, successive growings are kept up in gardens. When the plant is raised in fields, the outer leaves are plucked at different periods of summer and autumn, and given to milch cows, by which it is said they afford about a third more milk than when fed on common fodder, but it at first acquires a slightly sour taste: butter is also more easily obtained from it. At the approach of winter, the roots are dug up and laid in a cellar horizontally in alternate layers with sand or light soil, with their heads outermost and uncovered. In this situation they are kept excluded from frost and also from light, during which they afford the blanchéd roots called *Barbe de Capucin*, used as winter salad. The roots are sometimes also put with sand into barrels having numerous holes in their sides, through which the shoots very easily push, and are cut off when required. Barrels thus prepared are sometimes taken on board vessels about to sail, and afford fresh salad for many months.

New Esculent Plant.—In the

royal botanic garden of Glasgow, there have been lately received, from the baron de Shack of Trinidad, along with a large collection of rare and valuable plants from that country, several excellent roots of the famous Arracacha. The valuable properties of this interesting vegetable were, we believe, wholly unknown to the inhabitants of the old world, until Mr. Vargas, a native of Santa Fe de Bogota; where this plant is indigenous, brought to England the information, which was published in the first volume of the *Annals of Botany*, by Konig and Syme. Mr. Vargas states, that the Arracacha is one among the most useful of all the vegetables of that part of America. It belongs to the order of umbelliferae, and in its habit resembles an *Apium* (thus bearing some analogy to the celery and parsley of Europe), and it is in some parts of the country called *Apio*. Its stalk generally divides from the upper part of the root into several stems, thickly beset with large orbicular leaves, gashed into several sinuses, and supported by large tubular leaf-stalks, exceeding a goose-quill in thickness. The roots immediately divide into four or five branches; and each of these, if the soil be light and the weather be favourable, will grow to the size, and nearly the shape, of a large cow's horn. This root yields a food which is prepared in the kitchen in the same manner as potatoes. It is extremely grateful to the palate, more close than meaty—it is so tender that it requires little cooking, and so easy of digestion, that it is the common practice in the country to give it to convalescents and persons with weak stomachs, being thought of a much less flatulent nature than

potatoes. Of its tubers are made starch and a variety of pastry work; reduced to a pulp, this root enters into the composition of certain fermented liquors, supposed to be very proper to restore the lost tone of the stomach. In the city of Santa Fe, and indeed in all places of this kingdom where they can obtain the Arracacha, they are of full as universal use as the potatoes are in England. The cultivation of the Arracacha requires a deep black mould, that will easily yield to the descent of its large vertical roots. The mode of propagating it is to cut the root into pieces, each having an eye or shoot, and to plant these in separate holes. After three or four months, the roots are of sufficient size and quantity to be used for culinary purposes; but if suffered to remain for six months in the ground, they will often acquire an immense size, without any detriment to their taste. The colour of the root is either white, yellow, or purple, but all are of the same quality. The most esteemed in Santa Fe are those of Hipacon, a village about ten leagues north of the capital. Like the potatoe, the Arracacha does not thrive in the hotter regions of the kingdom; for there the roots will not acquire any size, but throw up a greater number of stems; or, at best, they will be small and of indifferent flavour. In the countries which are there called temperate, being less hot than those at the foot of the Cordilleras, this vegetable is sometimes found to thrive, but never so well as in the elevated regions of those mountains, where the medium heat is between 58 and 60 deg. of Fahrenheit's scale. Here it is that these roots grow the most luxuriantly, and acquire the most delicious taste. By care and at-

Vol. LXV.

tention in gradually inuring individuals of the Arracacha, or their seeds, to a cooler temperature, there is every reason to hope that this valuable root may, like the potatoe, (which was introduced to us from an equally warm country), be naturalized to our soil.

The Maturation of Fruit.—M. Berard being convinced by a series of experiments, "that the loss of carbon was absolutely necessary for the maturation of unripe fruits, it appeared probable that they might be preserved for a long time unchanged, if they were confined in a medium in which they could not generate carbonic acid, particularly those which spontaneously ripen when gathered green. It would be sufficient for this purpose to confine them either in a vacuum, or in an atmosphere of carbonic acid, or any gas not containing oxygen. I found, however, upon trial, that green fruits, under these circumstances, give out a certain quantity of carbonic acid for the first two or three days, but not afterwards. On the 1st of October, I put a green, hard, sound pear under a small bell-glass, and exhausted the air by an air-pump. The next day the glass contained some carbonic acid, given out by the fruit, which I pumped out, and repeated this for four or five days successively, after which no more gas was generated. On the 15th of January following, I examined the pear. It had kept perfectly well, and was quite hard. I let it remain for five or six days in a room exposed to the air, during which it ripened, and was perfectly well tasted. At the same period, and with the same success, I succeeded in preserving another pear, which I had suspended in a jar filled with carbonic acid gas. These,

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and other similar experiments, gave me great hopes of being able to preserve fruits for a long time by the methods above mentioned, but they have not been entirely realized. I have operated on cherries, gooseberries, apricots, plums, pears, and apples. I selected very sound fruits, within about a week to a fortnight of their natural term of ripening, and enclosed them in *vacuo*, others in carbonic acid, in hydrogen, or in azotic gas. All these fruits have been preserved for a certain time; but if the experiment has lasted too long, though they are still preserved from decay, they lose their fragrance and sweet taste, and they all acquire nearly the same flavour, which is peculiar, not easily described, and disagreeable. They also turn sour, and this is owing to the formation of malic acid alone. Cherries and apricots, long enclosed in jars, without the presence of oxygen, sweat out in a few days a liquid of the colour of the fruit. If they are withdrawn after twenty days, and then exposed for a day to the open air, they retain their agreeable taste; but I found a specimen of cherries, which I examined, after an enclosure of about five months, to retain their smell, indeed, and their proper colour a little weakened, but to have lost their peculiar taste, and to have become acid, with that particular, unpleasant flavour which I have already mentioned. I have at this moment before me (December 25) a jar enclosing two peaches in azotic gas, which have remained in this situation since October 6; to appearance they would be thought just gathered, but they have lost their delicious perfume and flavour; whilst a similar sample, opened November 5, and then exposed

for two days to the air, have turned out quite good. Pears and apples are, of all the fruits that I have tried, those that are the longest preserved in a medium deprived of oxygen. I have preserved pears in a vacuum from October to the following July, which remained quite sound, but had exchanged their agreeable flavour for the sour and unpleasant taste already described. But after three months enclosed in *vacuo*, and a few days subsequent exposure to the air, they remain quite good in every respect. May we not hence presume, that the fruits which ripen of themselves when severed from the tree, retain this quality in virtue of a certain degree of vegetable force which remains in them, and lies dormant for a time when they are immersed in a non-oxygenous medium, but which is lost in the end, when the power of maturation can no longer be recalled? My apparatus for enclosing fruits in a vacuum was the following:—I first put them into a jar, and closed it with a good cork, covered carefully with resinous cement, and having a very small hole bored through its centre with a red-hot knitting needle. This being done, I put the jar on the air-pump plate, whelmed over it a glass receiver, fitted with a copper stem, which could be raised or sunk through an air-tight leather collar. When a vacuum was made in both jars, I pressed down upon the hole of the cork of the inner jar, the copper stem, which carried a small plug of wax at its extremity, and thus the cork was made air-tight by the wax-plug that was left in the hole. To fill the jar with carbonic acid or hydrogen gas, two holes were made in the cork, to receive two bent glass tubes, one

proceeding from the vessel in which the materials for furnishing the gas were put, and the other dipping under water or mercury; a current of the required gas was then passed through the jar, till it was presumed that all the atmospheric air was displaced. To fill it with azotic gas, the bottom of the jar was covered with a stratum of moistened protoxyd of iron, recently prepared, and the fruit was then put in on a small partition of tin-plate, and the jar sealed up; and thus the air of the jar was left to be deprived of its oxygen by the action of the protoxyd of iron, leaving its azote untouched."—*An. de Chimie.*

New Zealand Spinach. — Though known to botanists, says Mr. Anderson, for many years, and notwithstanding its value as an esculent had been ascertained by the first discoverers of the plant, the *tetragonia expansa* till only within these few years has been cultivated as a matter of curiosity.

Our first knowledge of this plant was derived from sir Joseph Banks, who discovered it in the beginning of the year 1770, at Queen Charlotte's Sound, in New Zealand, when with captain Cook in his first voyage round the world. In the account of that voyage, edited by Dr. Hawkesworth, it is mentioned amongst the plants of New Zealand as having been met with once or twice, "and resembling the plant called, by country people, lamb's-quarters, or fat-hen; it was boiled and eaten instead of greens." Specimens and seeds were brought to England, and its introduction by sir Joseph Banks to Kew-gardens is recorded to have taken place in 1772. The value of the plant became more known in captain Cook's second voyage. Forster, who went

with that expedition, found it also at Queen Charlotte's Sound in great abundance in 1773; and during the stay of the ships at that place, the sailors were daily supplied with it at their meals. Thunberg found it growing wild in Japan, where it is called *tsurana*, or creeping cabbage. Besides the works above mentioned, it has also been described and figured by Scopoli, by Roth, and by M. de Candolle. Several of the writers, which I have referred to, note the plant as biennial, but in our climate it certainly is only an annual. From the experience which I have had in the cultivation of the tetragonia, in the present year, I can venture to recommend the following treatment; the seed should be sown in the latter end of March in a pot, which must be placed in a melon frame; the seedling plants, while small, should be set out singly in small pots, and kept under the shelter of a cold frame, until about the twentieth of May, when the mildness of the season will probably allow of their being planted out, without risk of being killed by frost. At that time a bed must be prepared for the reception of the plants, by forming a trench two feet wide, and one foot deep, which must be filled level to the surface with rotten dung from an old cucumber bed; the dung must be covered with six inches of garden mould, thus creating an elevated ridge in the middle of the bed, the sides of which must extend three feet from the centre. The plants must be put out three feet apart; I planted mine at only two feet distance from each other, but they were too near. In five or six weeks from the planting, their branches will have grown sufficiently to allow the gathering

of the leaves for use. In dry seasons, the plants will probably require a good supply of water. They put forth their branches vigorously as soon as they have taken to the ground, and extend before the end of the season three feet on each side from the centre of the bed. The branches are round, numerous, succulent, pale-green, thick, and strong, somewhat procumbent, but elevating their terminations. The leaves are fleshy, growing alternately at small distances from each other, on shortish petioles; they are of a deltoid shape, but rather elongated, being from two to three inches broad at the top, and from three to four inches long; the apex is almost sharp-pointed, and the two extremities of the base are bluntly rounded; the whole leaf is smooth, with entire edges dark green above, below paler, and thickly studded with aqueous tubercles; the midrib and veins project conspicuously on the under surface. The flowers are sessile in the axils of the leaves, small and green, and, except that they shew their yellow anthers when they expand, they are very inconspicuous. The fruit when ripe has a dry pericarp of a rude shape, with four or five horn-like processes inclosing the seed, which is to be seen in its covering. In gathering for use, the young leaves must be pinched off the branches, taking care to leave the

leading shoot uninjured; this, with the smaller branches which subsequently arise from the axils of the leaves which have been gathered, will produce a supply until a late period in the year, for the plants are sufficiently hardy to withstand the frosts which kill nasturtiums, potatoes, and such tender vegetables. The tetragonia is dressed exactly in the same manner as spinach, and whether boiled plain or stewed, is considered by many superior to it; there is a softness and mildness in its taste, added to its flavour, which resembles that of spinach, in which it has an advantage over that herb. My whole crop in the present year consisted solely of nine plants, and from these I have been enabled to send in a gathering for the kitchen every other day since the middle of June, so that I consider a bed with about twenty plants quite sufficient to give a daily supply, if required for a large table. The great advantage of this vegetable is as a substitute for summer spinach. Every gardener knows the plague that attends the frequent sowing of spinach through the warm season of the year; without that trouble, it is impossible to have it good, and with the utmost care it cannot always be even so obtained exactly as it ought to be (particularly when the weather is hot and dry), from the rapidity with which the young plants run to seed.

ARTS AND MANUFACTURES.

Instrument for finding the latitude, at once, without the help of logarithms or calculation, from two observations taken at any time of

day.—The inventor of this instrument, Joseph Bordwine, esq. professor of fortification at the East India Company's military college

at Addiscombe, has taken out a patent for it, and the directors have issued orders that this instrument be used throughout their naval department. It is intended to put within the reach of every commander of a vessel, the solution of that important problem in navigation, viz. the determination of the latitude, by two observations of the sun, or other celestial body, taken at any period of the day, a problem which has engaged the attention of scientific men for a long time past, with the view of rendering the forms of calculation more simple than they are at present. The instrument does away with calculation altogether, giving the results in itself. It is formed of four circular arcs, (the greatest about nine inches in diameter), having a common centre, and traversing about each other. On two of these are scales for the declination of the object observed, and on the other two, scales for the altitudes, which are taken by the usual instruments, quadrant, &c.—There is also a fourth semi-circle, fixed in position, for the time elapsed between the observations. In working it, the declination for the day is set off, the time adjusted,—and the verniers, marking the observed altitudes, brought together, when the instrument will immediately show,—

1. The latitude of the place of observation, to 15" of a degree.

2. The distance in time from noon of either observation, to 2" of time, which compared with a chronometer will give the difference of longitude.

3. The true azimuth, which compared with a compass bearing, will give the variation of the magnetic pole.

The operation may take about three or four minutes, there being no other calculation required than the usual corrections for dip, refraction, &c. in the altitudes; and the like for the declination from the nautical almanack, to adapt it to the place of observation, these being reductions which must take place under any solution of the problem, whether by the calculated forms, or by instrument. Two or three hours' instruction will make any master of a vessel fit to use it.

Ice Life-preserver.—Dr. Balfour has invented a simple apparatus for preventing persons drowning, when the ice breaks under them in skating. It consists of an iron ring, elongated on one side into a perforator of about two inches in length, or adapted to the head of a walking cane. If the latter be preferred, a person may carry it in his pocket, with the part stuck in a cork, and screw it on and off at the ice. It is very evident that when a person feels himself going down, he will instinctively strike the perforator into the solid ice nearest him; and, as the specific gravity of the human body is not much greater than that of water, the slightest hold will suspend him till assistance is procured; nay, it is quite possible for a person so armed to extricate himself. The instrument cannot fail in any case to preserve life, except when the ice gives way to a great extent, and even then it will answer the purpose of suspension, if stuck in a large piece of floating ice.

Diorama.—Two French artists, MM. Bouton and Daguerre, have invented a new method of exhibiting scenes of painting, differing from the panorama, in that two separate objects are exhibited at the same time. It is called the

Diorama, and the idea is borrowed from the panorama. The scene is the interior of some grand building, or the view of a beautiful valley, which is exhibited from only one point of view. The spectator mounts a staircase, lighted by a single lamp. He then enters a handsome room, and before him is a window looking into the interior of the chapel of the Trinity, at Canterbury. The room then turns on a pivot, and the spectator is surprised at seeing before him the valley of Sornen, in Switzerland. The picture is placed at a fixed distance from the spectator, and is lighted from the sides as well as from above, while it is so contrived that the eye of the spectator shall be kept upon the picture, and pass over the space between without notice. By this means, the illusion is almost perfect, and the looker-on can scarcely imagine himself otherwise than looking at nature from a window.

Process of hatching poultry by steam.—Mr. Barlow, of Lamb's Conduit-street, has exhibited a mechanical apparatus, which he states to be of his own invention and to have been for several months under the examination of the Society of Arts, for hatching poultry and birds of every description by a process of artificial incubation, in which he describes his success as in the proportion of 16 to 20 eggs: of course, it is essential that the eggs shall be fresh, and in the proper state.

The apparatus consists of a small boiler of the common form for creating the steam, which is then passed through a conductor into an oven constructed for the occasion, and where the baskets are arranged in which the eggs are deposited; the heat is regulated by thermo-

meters, and the evaporation of the steam carried off and governed by hydrometers according to a simple and ingenious contrivance. Mr. Barlow's description of the process is as follows:—

"Scarce is the egg exposed to the heat in the ovens 12 hours, when some lineament of the body of the embryo chick begins to appear. The heart begins to beat at the end of the second day; at that time it has the form of a horse shoe. On the third day, two vesicles with blood, the pulsation of which is very evident—one is the left ventricle, the other is the root of the great artery: one auricle of the heart appears about the 50th hour, which resembles lace folded back upon itself. The beating of the heart may now be observed in the auricle, and afterwards in the ventricle. The fourth day, the wings may be distinguished, and on the head two knots for the brain; one for the bill, and two others for the fore part and hind part of the head; the two auricles visible already approach nearer the heart than they did before. On the fifth day, the first auricle that appears seems to have two horns, but it afterwards appears to be auricles. About the sixth day, the liver is seen. The first voluntary motion is observed at the end of the 131st hour. At the end of 138 hours, the lungs and stomach become visible; and at the seventh day, the intestines, the loins, and the upper jaw, two ventricles may be seen, and two drops of blood instead of one, which was seen at first, and the brain acquires some consistence. At the eighth day of incubation, the bill opens, and the flesh appears in the breast; at the end of the 194th hour, the sternum (*i.e.* the breast-bone) is seen; and

on the 9th day, the ribs come out of the back; the bile and the gall-bladder become visible: on the 10th day the bile becomes green, and if the chick be taken from its integument, it can move itself insensibly. Eleventh day, the feathers begin to shoot, and the skull becomes grissly. At the 12th day, the eyes appear; and the ribs are perfect at the 288th hour. On the 13th day, the spleen approaches the stomach; and on the 14th and 15th day, it increases in size and bulk. On the 16th day, the beak opens and shuts; and about the

18th day, the chick utters its first cry. Its strength then gradually increases, till its sets itself at liberty by breaking the shell in which it was confined.

The artificial process will be seen from this description, to accelerate by several days the natural operation; and, as it might be carried on to any extent, by the size or multiplication of ovens, a great advantage in the acquisition of stock would necessarily be derived, provided the apparatus were found to work with the certainty and economy ascribed to it.

P A T E N T S.

J. NEVILLE, of New-walk, Surrey, for an improved method of producing and applying heat to, and constructing and erecting furnaces and other reservoirs, used for the various purposes of roasting or smelting metallic ores, or other substances, melting metals, or any other matter; and for heating pans or boilers, or substances usually contained in pans or boilers, in the various operations of producing steam, distilling, brewing, dyeing, boiling or baking sugar, boiling soap, or any other manipulation or operation in which the application of heat is necessary; and also, for the purpose of producing and applying heat to furnaces, pans, boilers and reservoirs, already erected and used, or to be used, for the purpose above-mentioned; and likewise, for effecting a saving in fuel, and producing a more complete combustion of smoke than at present takes place, as well as a better mode than any now in use, of collecting and preserving any volatile substance contained in, or combined with, metallic ores or other substances in the separation of which heat is necessary; and for the purpose of applying heat to the operations of baking or dyeing substances in kilns, floors, or racks, or in ovens.—Jan. 8, 1823.

W. JOHNSON, of Great Totham, for a

means of obtaining the power of steam for the use of steam-engines with reduced expenditure of fuel.—Jan. 8,

W. LISTER, of Baildon, Otley, for improvements in the method and machinery for preparing and spinning wool, silk, mohair, and other animal fibre, of any quality or length of staple.—Jan. 16.

R. COPLAND, of Clerkenwell, for combinations of apparatus for gaining power; part of which are improvements upon a patent already obtained by him, for a new or improved method or methods of gaining power, by new or improved combinations of apparatus applicable to various purposes.—Jan. 16.

G. MILLER, of Lincoln's Inn, for a method or plan of communicating the spiral motion to shot and shells when fired from plain barrels, and for igniting, by percussion, shells to which the spiral motion has been thus communicated.—Jan. 16.

J. TAYLOR, of Raven-row, Mile-end, for a new method of constructing the bottoms of merchants ships, and placing the pumps so as to prevent damage to the cargoes by the bilge-water.—Jan. 16.

J. SMITH, of Old Broad-street, for certain improvements on a machine for washing, cleansing, and whitening cot-

ton, linen, silk and woollen garments, or piece goods.—Jan. 20.

W. Glossage, of Leamington Priors, for a portable alarm, to be attached to, and detached from, clocks and watches, and which may be regulated to take effect at any given period of time.—February 11.

N. Partridge, of Bowbridge, near Stroud; for improvements in the setting or fixing of steam-boilers or coppers, by which a considerable saving of fuel will be effected, and the smoke more effectually consumed.—February 14.

T. Fuller, of Bath, for an improvement in the construction of shafts, and the mode of attaching them to two-wheeled carriages.—February 18.

P. Chell, of Earle's-court, Kensington, for improvements on machinery for drawing, roving, and spinning hemp, flax, and waste silk.—February 18.

A. Applegath, of Duke-street, Surry, for improvements in printing machines.—February, 18.

T. Bury, of Salford, for improvements in dyeing or producing a permanent nankeen colour on cotton, wool, skein-yarn, and other articles.—February 18.

F. Deakin, of Birmingham, for improvements to piano-fortes, and other stringed instruments.—February 18.

W. Church, of Nelson-square, Surry, for an improved apparatus for printing, to be used by type, block, or plate printers.—February 18.

G. E. Harpur and B. Baylis, of Weedon, for a method of impelling machinery.—March 18.

R. Badwell, the younger, of Leek, Staffordshire, for improvements in the throwing, twisting, or spinning of sewing-silk, Organzine, Bergam, and such other descriptions of silk as such improvements may be applicable to.—March 18.

H. H. Price, of Neath Abbey, for an apparatus for giving increased effect to paddles used in steam vessels, applicable to rotary movements, by which they are generally worked.—March 18.

W. Crighton and J. Crighton, both of Manchester, for an improvement in the construction of the cylinders used in carding engines, and other machines employed in the preparation for the spinning of cotton, flax, wool, silk.—March 18.

W. Bailey, of High Holborn, and T. Horne the younger, of Birmingham, for improvements in the manufacture of

metallic window-frames, and other metallic mouldings, applicable to the ornamenting of furniture.—March 18.

T. Rogers, of Buckingham-street, Strand, for an improvement on stays and bodices, which improvement is also applicable to boots.—March 18.

W. Hope, of Jedburgh, for improvements in the construction of printing-presses.—March 18.

T. Hancock, of Goswell Mews, Middlesex, for an improvement in the preparation, for various useful purposes, of pitch and tar, separately or in union, by an admixture of other ingredients with either or both of them.—March 22.

T. Wickham, of Nottingham, for a compound paste and liquid, to be used for the purpose of improving and colouring lace and net, and all other manufactured articles made of flax, cotton, wool, silk, or any other animal or vegetable substance, whether the fabric of the same be composed of holes or interstices, or of open or close work, or otherwise, and to be applied in the process of getting up, dressing, or colouring the same.—March 24.

W. Jessop, of Butterley Hall, Derbyshire, for an elastic metallic piston, or packing of pistons, to be applied either externally or internally to cylinders.—March 27.

W. Warcup, of Dartford, for an improvement or improvements in the construction of a machine called a Mangle.—April 3.

J. Frost, of Finchley, Middlesex, for certain improvements in the process of calcining, and preparing calcareous and other substances, for the purpose of forming cements.—April 3.

C. Pope, of Bristol, for a composition of certain metals to be used for the purpose of sheathing the bottoms of ships and vessels, and of roofing the tops of houses, or for any other purpose to which such composition may be applicable.—April 8.

D. W. Acraman, of Bristol, iron-manufacturer, and W. Piper, of the Cookley iron-works, near Kidderminster, Worcestershire, iron-manufacturer, for certain improvements in the preparation of iron, for the better manufacture of chains and chain cables.—April 12.

J. M. Hanchett, of Crescent-place, London, companion of the most honourable Order of the Bath, for certain improvements in propelling boats and vessels.—April 12,

J. Francis, of Norwich, shawl and bombasin-manufacturer, for an improvement in the process of making or manufacturing a certain article or fabric, composed of silk and worsted, for useful purposes.—April 12.

G. Graulhie, of Castle-street, Holborn, London, gentleman, for a machine or apparatus, upon a new and portable construction, capable of being inclined in different degrees, adapted to the conveyance of persons and goods over water or ravines, for military or other objects, and applicable also to purposes of recreation and exercise. Partly communicated to him by certain foreigners residing abroad.—April 16.

J. Johnson, of Waterloo-bridge wharf, for improvements on drags, to be used for carriages.—April 16.

S. Hall, of Basford, Nottinghamshire, for a method of improving lace, net, muslin, calico, and every other description of manufactured goods, whose fabric is composed of holes or interstices, and also thread or yarn, as usually manufactured, of any kind, whether the said manufactured goods, or the said thread or yarn, be fabricated from flax, cotton, silk, worsted, or any other substance, or mixture of substances whatever.—April 18.

W. Southworth, of Sharples, Lancashire, for machinery or apparatus adapted to facilitate the operation of drying calicoes, muslins, linen, or other similar fabrics.—April 19.

R. Winter, of Fen-court, London, for an improved method of conducting the process of distillation.—April 22.

R. J. Tyers, of Piccadilly, for a machine or apparatus to be attached to boots, shoes, or other covering of the feet, for the purpose of travelling or pleasure.—April 22.

W. Palmer, of Lothbury, for improvements in machinery, for the purpose of painting or staining paper for paper hangings.—April 22.

F. G. Spilsbury, of Walsall, for certain improvements in tanning.—April 22.

F. Deaking, of Birmingham, for an improved method of manufacturing furniture and for an improvement to the mounting of umbrellas and parasols.—April 22.

J. Rawlins, of Pentonville, for a bedstead, machine, or apparatus for the relief of invalids.—April 22.

J. Hall, jun., of Dartford, for an im-

provement in the machinery to be employed for effecting or producing the pressure on linseed, rapeseed, or any other oleaginous seeds or substances from which oil can be expressed, for the purpose of expressing oil from the aforesaid seeds or substances.—Apr. 22.

J. Taylor, of Manchester, for machinery or apparatus to facilitate or improve the operation of spinning, doubling, and throwing silk, cotton, wool, or flax, or mixtures of the said substances.—April 29.

J. Bourdieu, of Lime-street, for a discovery and preparation of a mucilage, or slackening matter, to be used in painting or colouring linen, woollen, and cotton cloths, and silks, in cases in which gums, mucilages, and other thickening matters, are now employed. Communicated to him by a foreigner residing abroad.—April 29.

W. Caslon, the younger, of Burton-crescent, for certain improvements in the construction of gnomometers.—May 10.

E. Eyre, of Sheffield, for an improvement in the manufacture of fenders, of brass, iron or steel.—May 15.

J. Perkins, of Fleet-street, engineer, for improvements in the mode of heating, boiling, or evaporating, by steam, of fluids, in pans, boilers, or other vessels.—May 17.

E. Ollerenshaw, of Manchester, for a method of dressing and furnishing hats, by means of certain machinery and implements to be used and applied thereto.—May 27.

T. Peel, of Manchester, for a rotary-engine for the purpose of communicating motion by means of steam or other gaseous media.—May 27.

S. Wilson, of Streatham, for improvements in machinery for weaving and winding. Communicated to him by certain foreigners residing abroad.—May 31.

J. Mills, of St. Clement Danes, London, and H. W. Fairman, of Silver-street, London, for improvements in rendering leather, linen, flax, sail-cloth, and certain other articles, water-proof. Communicated to them by certain foreigners residing abroad.—May 31.

R. Badnall, of Leek, for improvements in dyeing.—June 3.

T. Attwood, of Birmingham, for improvements in the making of cylinders for the printing of cottons, calicoes, and other articles. Communicated to him by a person residing abroad.—June 3.

T. Mills, of Dudbridge, near Stroud, for improvements on machines for shearing or cropping woollen cloths. Communicated to him by certain foreigners residing abroad.—June 3.

J. Perkins, late of Philadelphia, America, but now of Fleet-street, for improvements in steam-engines. Partly communicated to him by a certain foreigner residing abroad.—June 5.

E. Cowper, of Kennington, for improvements in machines and apparatus for printing calico, linen, silk, wool, paper, and other substances capable of receiving printed impressions.—June 10.

R. Mushet, of the Royal Mint, for a process for improving the quality of copper and alloyed copper, applicable to the sheathing of ships and other purposes.—June 14.

R. Pew, of Sherborne, Dorset, for a new composition for covering houses and other buildings.—June 17.

O. Mac Intosh, of Crossbasket, Lanark, for a process and manufacture whereby the texture of hemp, flax, wool, cotton, and silk, and also leather, paper, and other substances, may be rendered impervious to water and air.—June 17.

J. Smith, of Droitwich, for an apparatus for the applying steam to the boiling and concentration of solutions in general, crystallising the muriate of soda from brines containing that salt, melting and refining of tallow and oils, boiling of sugar, distilling, and other similar purposes.—June 19.

M. Willoughby, Horley Down, Surry, for improvements in the construction of vessels so as to enable them to sail with greater velocity.—June 26.

J. Green, of Mansfield, for machines used for roving, spinning, and twisting cotton, flax, silk, wool, or other fibrous substances.—June 26.

W. Vere, of Crown Row, Mile End, and H. S. Crane, of Stratford, for improvements in the manufacture of inflammable gas.—June 30.

T. W. Stansfield, of Leeds, H. Briggs, of Luddenderfoot, W. Richard, of Leeds, and W. Barraclough, of Burley, Leeds, for improvements in the construction of looms for weaving fabrics composed wholly or in part of woollen, worsted, cotton, linen, silk, or other materials, and in the machinery and implements for, and methods of, working the same.—July 5.

G. Clymer, of Finsbury-street, for improvements on agricultural ploughs.—July 5.

J. Fisher, of Great Bridge, West-bromwich, and J. Horton the younger, of the same place, for an improvement in the construction of boilers for steam-engines, and other purposes where steam is required.—July 8.

S. Fairbanks, of America, but now residing in Norfolk-street, Strand, for improvements in the construction of locks and other fastenings. Communicated to him by a foreigner residing abroad.—July 10.

J. L. Bradbury, of Manchester, for improvements in the art of printing, painting, or staining silks, cottons, woollen, and other cloths, and paper, parchment, vellum, leather, and other substances, by means of blocks or surface printing.—July 15.

B. Gill, of Birmingham, for improvements in the construction of saws, cleavers, straw-knives, and all kinds of implements that require or admit of metallic backs. Communicated to him by a foreigner residing abroad.—July 15.

Sir Isaac Coffin, of Pall Mall, for a method or methods of catching or taking mackerel and other fish, communicated to him by a foreigner residing abroad.—July 15.

W. Palmer, of Lothbury, London, for improvements in machinery applicable to printing on calico or other woven fabrics, composed wholly or in part of cotton, linen, wool, or silk.—July 16.

W. H. Horrocks, of Portwood, cotton-manufacturer, for a new and improved method applicable to preparing, cleaning, dressing, and beaming silk warps, and also applicable to beaming other warps.—July 24.

R. Gill, of Barrowdown, for a method of preparing, dressing, and dyeing sheep-skins and lamb-skins with the wool on, for rugs for carriages, rooms, and other purposes.—July 24.

W. Jeakes, of Great Russell-street, for an apparatus for regulating the supply of water in steam-boilers and other vessels for containing water or other liquids.—July 24.

W. Davis, of Bourne, Gloucestershire, for improvements in machinery for shearing and dressing woollen and other cloths requiring such process.—July 24.

H. Smart, of Berners-street, Middle-

sex, for improvements in the construction of piano-fortes.—July 24.

M. Turner, and L. Angell, of Whitehaven, for an improved process to be used in the bleaching of linen or cotton-yarn, or cloth.—July 24.

J. Jackson, of Nottingham, for improvements in the construction of the locks used for the discharge of guns and other fire-arms, upon the detonating principle.—July 29.

J. Bower, of Hunslet, Leeds, and J. Bland, of the same place, for an improvement in such steam-engines as condense out of the cylinder, by which improvement or invention the air-pump is rendered unnecessary.—July 31.

J. Bainbridge, of Bread-street, Cheap-side, for improvements upon machines for cutting, cropping, or shearing wool or fur from skins; also for cropping or shearing woollen, silk, cotton, or other cloths and velvets, or any other fabric or fabrics thereof respectively, whether made or composed entirely of wool, silk, cotton, or other materials of which cloth or velvet is made, or of any mixture or mixtures thereof respectively, and also for the purpose of shaving pelts or skins. Communicated to him by a foreigner, resident in the United States of North America.—July 31.

L. J. Pouchée, of King-street, Covent-garden, for machinery or apparatus to be employed in the casting of metal types. Communicated to him by a certain foreigner residing abroad.—August 5.

R. Dickenson, of Park-street, Southwark, for an improvement in addition to the shoeing or stopping and treatment of horses feet.—August 5.

J. Barron, of Well-street, and J. Wilson, of Welbeck-street, Middlesex, for improvements in the construction and manufacturing of window-blinds.—August 11.

W. Wigston, of Derby, for improvements on steam-engines.—August 11.

H. C. Jennings, of Devonshire-street, Mary-le-bone, for an instrument or machine for preventing the improper escape of gas, and the danger and nuisance consequent thereon.—August 14.

R. Rogers, of Liverpool, for an improved lan-yard for the shrouds and other rigging of ships and other vessels, and an apparatus for setting up the same.—August 18.

J. Malam, of Wakefield, for a new mode of applying materials hitherto un-

used for that purpose, to the constructing of retorts, and improvements in other parts of gas apparatus.—August 18.

T. Leach, of Friday-street, London, for improvements in certain parts of the machinery for roving, spinning, and doubling wool, cotton, silk, flax, and all other fibrous substances.—August 18.

R. Higgin, of Norwich, for a new or improved method of consuming or destroying smoke.—August 18.

G. Diggles, College-street, Westminster, for an improved bit for riding-horses, and for horses used in single and double harness.—August 19.

E. Elwell, of Wednesbury-forge, Staffordshire, for improvements in the manufacture of spades and shovels.—August 20.

M. A. Robinson, of Red-Lion street, Middlesex, for improvements in the mode of preparing the vegetable matter, commonly called pearl-barley and grits or groats, made from the corns of barley and oats, by which material, when so prepared, a superior mucilaginous beverage may be produced in a few minutes.—August 20.

J. Goode, of Tottenham, for improvements in machinery, tools, or apparatus, for boring the earth, for the purpose of obtaining and raising water.—August 20.

B. Rotch, of Furnival's-Inn, for an improved fid for the upper masts of ships and other vessels.—August 21.

J. Surrey, of Battersea, for a method of applying heat for producing steam, and for various other purposes, whereby the expense of fuel will be lessened.—September 4.

W. Woodman, of the 2nd Dragoon Guards, for an improved horse's shoe, which he denominates the bevelled-heeled expanding shoe.—September 11.

B. Donkin, of Great Surrey-street, for a discovery or invention on the means or process of destroying or removing the fibres from the thread, whether of flax, cotton, silk, or any other fibrous substance, composing the fabrics usually termed lace-net, or any other denomination of fabric where holes or interstices are formed by such thread in any of the aforesaid fabrics.—September 11.

J. Hughes, of Barking, for certain means of securing the bodies of the dead in coffins.—September 11.

H. C. Jennings, of Devonshire-street, St. Mary-le-bone, for an instrument to

be affixed to the saddle-tree, by the application and use of which, inconvenience and distress to the horse may be avoided.—September 11.

J. Sprigg, of Birmingham, for a certain improvement in the manufacture of grates, fenders, and fire-iron rests.—September 11.

T. Wickham, of Nottingham, for an improved and prepared rice, rendered applicable for use in all cases in which starch is applied.—September 11.

W. Hase, of Saxthorpe, for a method of constructing mills or machines chiefly applicable to prison discipline.—September 11.

J. Christie, of Mark-lane, London, and T. Harper, of Tamworth, merchant, for an improved method of combining and using fuel in stoves, furnaces, boilers, and steam-engines.—October 9.

J. R. Cotter, of Castle-Magnor, near Mallow, Cork, Ireland, clerk, for improvements on wind musical instruments.—October 9.

J. Henfrey, of Little Henry-street, Surrey, and A. Applegath, of Duke-street, Blackfriars, for machinery for casting types.—October 9.

E. S. Swanie, of Bucklersbury, London, for a method of producing and preserving artificial mineral waters, and for machinery to effect the same. Communicated to him by F. A. A. Streave, of Dresden, doctor of physic, and E. Swanie, of Leipzig, merchant, on whose behalf he is pursuing this patent.—October 9.

Sir W. Congreve, of Cecil-street, Strand, for improvements in fire-works.—October 16.

A. Buchanan, of Catrine Cotton-works, one of the partners of the house of James Finlay and Co., merchants, Glasgow, for an improvement in the construction of weaving-ooms impelled by machinery, whereby a greater quantity of cotton may be woven in a given time, without injury to the fabric, than by any application of power for that purpose heretofore employed.—October 16.

J. Ranking of New Bond-street, for the means of securing valuable property in mail and other stage-coaches, travelling carriages, waggons, caravans, and other similar public and private vehicles, from robbery.—November 1.

G. Hawkes, of Lucas-place, Commercial-road, Stepney Old Town, for an improvement in the construction of ships' anchors.—November 1.

G. Hawkes, of Lucas-place, Commercial-road, for certain improvements on capstans.—November 1.

W. Bundy, of Fulham, for an anti-evaporating cooler, to facilitate and regulate the refrigerating of worts or wash in all seasons of the year, from any degree of heat between boiling and the temperature required for fermenting.—November 1.

T. F. Gimson, of Tiverton, for improvements in, and additions to, machinery now in use for doubling and twisting cotton, silk, and other fibrous substances. Partly communicated to him by a certain person residing abroad.—November 6.

T. Gawan, of Fleet-street, for improvements on trusses.—November 11.

J. Day, of Barnstable, for improvements on percussion gun-locks, applicable to various descriptions of fire-arms.—November 13.

J. Ward, of Grove-road, Mile End-road, for improvements in the construction of locks and other fastenings.—November 13.

S. Servill, of Brown's-hill, Gloucestershire, for a mode or improvement for dressing of woollen or other cloths.—November 13.

R. Green, of Lisle-street, for improvements in constructing gambadoes, or mud boots, and attaching spurs thereto; and part of which said improvements are applicable to other boots.—November 13.

R. Stain, of the Tower Brewery, London, for an improved construction of a blast-furnace, and apparatus to be connected therewith, which is adapted to burn or consume fuel in a more economical and useful manner than has been hitherto practised.—November 13.

J. Gillman, of Newgate-street, London, and J. H. Wilson, of Manchester, for improvements in the manufacture of hats and bonnets.—November 13.

J. Heathcoat, of Tiverton, for a machine for the manufacture of a platted substance, composed either of silk, cotton, or other thread or yarn.—November 20.

T. Hopper, of Reading, for improvements in the manufacture of silk-hats.—November 20.

A. Deane, of Deptford, for an apparatus or machine to be worn by persons entering rooms or other places filled with smoke or other vapour, for the purpose of extinguishing fire, or sm-

tricate persons or property therefrom.—November 20.

J. Perkin's, of Hill-street, London, and J. Martineau the younger, of the City-road, Middlesex, for an improvement in the construction of the furnace of steam-boilers and other vessels, by which fuel is economised and the smoke consumed.—November 20.

J. Bourne, of Derby, for improvements in the burning of stone-ware and brown-ware in kilns or ovens, by carrying up the heat and flame from the furnace or fire, below to the middle and upper parts of the kiln or oven, either by means of flues or chimnies in the sides thereof, or by moveable pipes or conductors to be placed within such kilns or ovens; and also by increasing the heat in kilns or ovens by the construction of additional furnaces or fires at the sides thereof, and to communicate with the centre or upper parts of such kilns or ovens; and also by conveying the flame and heat of one kiln or more into another, or others, by means of chimnies or flues, and thus permitting the draft and smoke of several kilns or ovens to escape through the chimnies of a central kiln or oven of great elevation, whereby the degree of heat is increased in the several kilns or ovens, and the quantity of smoke diminished.—November 22.

J. Slater, of Saddleworth, for improvements in the machinery or apparatus to facilitate or improve the operation of cutting or grinding wool or cotton from off the surfaces of woollen cloths, kerseymeres, cotton cloths, or mixtures of the said substances; and for taking or removing hair or fur from skins.—November 22.

T. Todd, of Swansea, for an improvement in producing tone upon musical instruments of various descriptions.—November 22.

S. Brown, of Windmill-street, Lambeth, for an engine or instrument for effecting a vacuum, and thus producing powers, by which water may be raised and machinery put in motion.—December 4.

A. Buchanan, of Catrine Cotton-works, for an improvement in machinery heretofore employed in spinning-mills in the carding of cotton and other wool, whereby the top cards are regularly stripped and kept clean by the operation of the machinery, without the agency of hard labour.—December 4.

J. Parkes, of Manchester, for a method of manufacturing salt.—December 4.

G. M. Glascott, of Great Garden-street, Whitechapel, and T. Michell, of Upper Thames-street, for improvements in the construction or form of nails to be used in or for securing of copper and other sheathing on ships, and for other purposes.—December 9.

T. Horne the younger, of Birmingham, for improvements in the manufacture of rack pulleys, in brass or other metals.—December 9.

W. Furnival, of Droitwich, and A. Smith, of Glasgow, for an improved boiler for steam-engines and other purposes.—December 9.

Sir H. Heathcote, of Surrey-street, Strand, for an improvement of the staysails generally in use, for the purpose of intercepting wind between the square sails of ships and other square-rigged vessels.

J. Boot, of Nottingham, for an improved apparatus to be used in the process of singeing lace and other purposes.—December 13.

P. J. B. V. Gosset, of Queen-street, Haymarket, for a combination of machinery for producing various shapes, patterns, and sizes, from metals or other materials, capable of receiving an oval, round, or other form. Communicated to him by a certain foreigner residing abroad.—December 18.

T. Greenwood, of Gildersoun, and J. Thackrah, surgical mechanist, of Leeds, for improvements on, or substitutes for, pattens and clogs.—December 27.

Patents lately granted in Scotland.

H. Houldsworth, of Glasgow, civil engineer, for a new contrivance for heating dwelling-houses, hot-houses, and other buildings.—January 8.

J. Perkins, of Fleet-street, London, for improvements on steam-engines.—February 8.

W. Brunton, of Birmingham, for improvements upon fire-grates, and the means of introducing coal therein.—February 8.

J. Fox, of Plymouth, for an addition to, or improvement on, the apparatus commonly used in the distillation of ardent spirits.—March 3.

P. Chell, of Earl's-court, Kensington, for improvements on machinery for drawing, roving, and spinning hemp, flax, and waste silk.—March 6.

R. Badnall, the younger, of Leek, for

318* ANNUAL REGISTER, 1823.

improvements on the throwing, twisting, or spinning of sewing silks, organzine, bergam, and such other descriptions of silk as the said improvements may be applicable to.—March 6.

W. Palmer, of Lothbury, London, paper-hanger, for improvements in machinery, for the purpose of printing or staining paper.—April 4.

R. Winter, of Fen-court, London, for an improved method of conducting the process of distillation.—April 28.

S. Hall, of Basford, for a method of improving lace, net, muslin, calico, and any other description of manufactured goods whose fabric is composed of holes or interstices, and also thread or yarn, as usually manufactured, of any kind, whether the said manufactured goods, or the said thread or yarn, be fabricated from flax, cotton, silk, worsted, or any other substance or mixture of substances whatsoever.—May 7.

W. Mitchell, of Glasgow, for a process whereby gold and silver plate, and any other plate formed of ductile metals, may be manufactured in a more perfect and expeditious manner than by any process which has hitherto been employed in such manufacture.—May 12.

J. Woolams, of Wells, for improvements in wheeled carriages of various

descriptions, to counteract the falling, and facilitate the labour of animals attached to them, and to render persons and property in and near them more secure from injury.—June 3.

C. Mackintosh, esq., of Crossbasket, Lanarkshire, for a process of manufacture, whereby the texture of hemp, flax, wool, cotton, and silk; and also leather, paper, and other substances, may be rendered impervious to water and air.—June 3.

R. Mushet, of the Royal Mint, Tower-hill, Middlesex, for a mean or means, process or processes, for improving the quality of copper, and of alloyed copper, applicable to the sheathing of ships and other purposes.—June 21.

J. Green, of Mansfield, for an improvement in certain machines used for roving, spinning, and twisting cotton, flax, silk, wool, or other fibrous substances.—June 24.

J. Bourdieu, esq., of Lime-street, for a mucilage or thickening matter to be used in printing or colouring linen, woollen, and cotton cloths and silks, in cases in which gums, mucilages, and other thickening matters are now employed. Communicated to him by a foreigner residing abroad.—June 24.

ANTIQUITIES

AND

MISCELLANEOUS LITERATURE.

CHANCERY Records.—The labour and researches promoted by the royal commissioners on public records, have led to the discovery of a great variety and number of unarranged records of the Court of Chancery. They have been found dispersed through the Record-office, the chapel, and the room in the White Tower, in lockers, drawers, and cupboards, as well as in the great heap (where many charters were also found), under the arch in the Tower of the city of London. They consist of partitions of lands, assignments of dower, writs of *scire facias* to repeal letters patent, with the pleading thereon; "of these latter documents there are 56 issued on behalf of Henry Prince of Wales, to repeal letters patent of queen Elizabeth, by which she had granted to divers persons several of the possessions of the Duchy of Cornwall." There are, besides, many other curious and valuable documents of the reigns of Henry 7th and Henry 8th, and various other important records relating to lands. When the records in the Tower were examined in 1800, by order of parliament, according

to the return, it does not appear to have been known that there were any proceedings in the Court of Chancery preserved there, of an earlier date than the reign of queen Elizabeth, except some few in the reign of Henry 7th; and there have since been discovered, besides the documents already noted, in an obscure part of the north gallery of the chapel of the White Tower, a series of those proceedings, consisting of bundles of bills, answers, and depositions, during the reigns of Henry 6th, Edward 4th and 5th, and Richard 3rd. The great mass of unsorted records lying under the arch at the north-east corner of the White Tower, first discovered in the year 1809, have been taken out and sorted. The Chancery records, to the amount of upwards of seven thousand, have since been unfolded, cleaned, smoothed, and arranged in portfolios, under the names of the several chancellors; chiefly during the reigns of Henry 3rd, Henry 8th, Edward 6th; Philip and Mary, queen Elizabeth, and James 1st. There have already been found (observe the commissioners) the proceedings in eight

hundred and forty suits, whilst cardinal Wolsey was chancellor; the proceedings in 1,560 suits, in the chancellorship of sir Thomas Audley; and the proceedings in 1,250 suits in the time of sir N. Bacon.

The Cottonian Manuscripts.—The commissioners have caused the catalogue of the Cottonian MSS. to be printed; and have prefaced it with a long, but exceedingly interesting, "account of the formation, contents, and catalogues of the collection of Cottonian MSS." This preface gives some particulars of this memorable collector. Sir Robert Cotton, who was a descendant from a very ancient family, which, in the reign of Edward 3rd, flourished in the county of Chester, was born at Denton, Huntingdonshire, January 22, 1570. He was educated at Trinity College, Cambridge, where he early imbibed a taste, and laid the foundation for his pre-eminent learning in the antiquities and history of his country. On his leaving college, this bias was greatly increased by the free intercourse he immediately commenced with those celebrated antiquaries, Jocelin, Lambard, Camden, Noel, and several others, who, about that time (though unsuccessfully) attempted the establishment of an Antiquarian Society. He neglected no opportunities to acquire chronicles, chartularies, and other original muniments; and many presented themselves, as numbers of such documents at the late dissolution of the monasteries had found their way into private hands, who were rarely aware of their importance.

In 1599, he accompanied Camden in a journey to the north of England, where they jointly ex-

plored the whole extent of the Picts' wall, and brought away several inscriptions and monuments, which he ultimately presented to his college at Cambridge, where they are now carefully preserved. After an active public life, this preface feelingly observes—"It is, no doubt, greatly to be lamented that a life so meritorious should, toward its close, have been imbittered by base calumny and the arbitrary proceedings of those from whom he had an undoubted right to expect distinguished favour and protection. By order of the privy-council, once in the reign of James 1st, 1615, and again in the reign of Charles 1st, 1629, his library was locked up, as not of a nature to be exposed to public inspection, and he was himself excluded from the use of it!" Shortly before his death, he caused it to be signified to the privy council, "that their so long detaining his books from him, without rendering any reason for the same, had been the cause of his mortal malady." He died May 6, 1631. "That the library continued in sequestration some time after his death, appears manifest (observes the royal commissioners' preface) from the petition of sir Thomas Cotton, his only son and heir, wherein he states that his study had been a long time locked up, and himself debarred from the use of it; and that it appeared from a schedule of the contents of the said library, prepared for the purpose, that there were no books or papers therein but such as were the undoubted property of the petitioner; he therefore prayed that he might henceforth have the free use of his study, it being the best room in his house. Although no account is extant that the prayer of such

petition was complied with, there is every reason to believe that it was soon after granted; and that sir Thomas, to whom the property had devolved, continued to the day of his death, which happened in the year 1662, in quiet possession of his library." Stukeley relates that the high sheriff for Bedfordshire (Bramstall), in 1650, was greatly instrumental in preserving this inestimable treasure, during the convulsions of the civil wars, in which, remarks the preface, "all documents of a constitutional or legal nature were industriously sought after, in order to be destroyed."

The Lansdown Manuscripts.—A catalogue of the "Lansdown Manuscripts," likewise has been printed by authority of the commission on public records. This collection of manuscripts was purchased in 1807, by a vote of parliament, of the representatives of the then late marquis of Lansdown, for the sum of 4,925*l*.

The catalogue is divided into two parts: the first consisting of the Burghley papers only; the second comprehending the remainder of the manuscripts in general, including the Cæsar and Kennett papers. Of the Burghley papers one volume contains copies of charters, &c. of an early period; but the remainder, amounting to 121 volumes in folio, consist of state papers, interspersed with miscellaneous correspondence during the long reign of queen Elizabeth; and among these is "the private memorandum book of lord Burghley."

Exclusively of the larger series, this collection of manuscripts comprehends many valuable works on different subjects. In British History, Topography, and Jurispru-

dence, the collection is particularly rich. It contains a beautifully illuminated manuscript of "Hardyng's Chronicle," as it was presented by its author to Henry 6th, which deserves especial notice. It was formerly sir Robert Cotton's, and it differs from the printed copies of the Chronicles (which came down to Edward 4th's time) so much, as not even to admit of collation. There is in it, also, a fair transcript of the "Chronicle of Andrew of Wyntown;" and three volumes of original correspondence, the first containing letters written by royal, noble, and eminent persons of Great Britain, from the time of Henry 6th to the reign of his late majesty. The most important document in the other two volumes is, the memorable letter of lady Jane Gray, as queen of England, to the marquis of Northampton, requiring the allegiance against what she calls "the fayned and untrew clayme of the lady Mary, bastard daughter to our great uncle Henry th' eight of famous Memorye." There is likewise a valuable "treatise on the court of star chamber, written in the time of king James 1st, and king Charles 1st, by William Hudson, esq., of Gray's Inn." In biblical learning the collection contains two volumes of particular interest. One is a fine manuscript of part of the old Testament, in English, as translated by Wicliffe; the other is a volume elegantly written on vellum, and illuminated, containing part of a French Bible, translated by Raoul de Presle, or Præstles, at the command of Charles 5th of France:—a version of extreme rarity even in that country. There are also some fine classical manuscripts; amongst them a *fac-simile* of the celebrated Virgil in the

Vatican library, made by Bartoli, in 1642. In poetry, besides two beautiful manuscripts of the 15th century, on vellum, one containing the "Sonnets of Petrarch," the other the "Comedia of Dante," there is a very fair and perfect copy, also on vellum, of the "Canterbury Tales" of Chaucer, written about the reign of Henry 5th; in the initial letter of which is a full-length portrait of the author. Likewise a volume, partly on vellum and partly on paper, being "a collection of the poems of John Lydgate, monk of Bury," many of which have never been printed; and an unpublished poem, by Skelton, intituled "The Image of Ypocresye," believed to be the author's autograph. There is also a volume containing 20 very interesting "treatises on music," of the 15th century, originally belonging to John Wylde, precentor of Waltham Abbey, and afterwards to Thomas Tallys, organist to Henry 8th; a manuscript volume that has been particularly noticed and commented upon by sir John Hawkins and Dr. Burney, in their respective histories of music.

Heralds' College.—The Commission for examining into the state of the public records of the kingdom, has pointed out the insecure condition of the Heralds' Office or College of Arms. His majesty's commissioners, in their report of 1819, declared, that the office required to be removed speedily into some public building, or that the present one should be rendered more secure from fire. Various proceedings took place, in correspondence, memorials, &c., between the officers of the Heralds' college, government, &c., but nothing was decided upon. According to documents now published by au-

thority of parliament, it appears that the kings, heralds, and pursuivants, of the college of Arms (by their memorial in chapter agreed to), represented, that the building, in which their records are preserved, was not only falling fast to decay, but in constant and imminent danger from fire, inasmuch as a sugar-house, the timbers of which are actually inserted in the walls of the college, immediately adjoins the library, and there is no party-wall between the buildings. Though the royal commissioners, by personal inspection, ascertained that it was necessary to remove the college into some public building, or to secure it against the extreme peril of fire to which it was exposed, nothing could be done. The Chapter again memorialized the government, representing that the decay of the building had increased so rapidly as to render it even an unsafe residence to those officers who inhabit certain parts of it; and, in particular, they had observed, that some of the library presses had sunk considerably, and that the books contained in them were suffering from damp. They searched for the cause, and they discovered that the north wall had become so ruinous as to render it necessary to lay a great part of it bare, by taking down three of the said presses, and they were in consequence obliged to remove some hundred volumes of manuscripts, which were contained in them, into the hall, which is the public passage to the office. They also forwarded memorials, with like representations, to the duke of Norfolk, as Earl Marshal of England.

The building remaining still the same, the memorialists again directed attention to this subject.

They said, they hoped they had, by their silence under such severe pressure, shown the desire patiently to await such measures as the Earl Marshal of England, or the government, might recommend; but, they added, that a circumstance had occurred which compelled them to implore attention to the hazard to which the public treasure of records, of which they had the custody, were continually exposed, by the erection and use of a steam-engine of considerable force in the sugar-house.

The Secretary of State for the home department hereupon had the condition of the College of Arms investigated by the surveyor of the Phoenix Fire-office. He reported that the apartments, in which are deposited the records, about upon the sugar refinery of alderman Smith, which is also an ancient building, &c.; and that if the dépôt of records in question is considered an object of national importance, the present building by no means possesses the security requisite for such purposes.

Lord Sidmouth, previously to his quitting office, directed the case to be considered by the lords of the Treasury, and the case is now under special consideration. The difficulty has been, to select a good situation for the site of a building for the Heralds' College; and it is in discussion between the Treasury and the Crown Lands Revenue department, to allot a piece of ground in the King's Mews for such a College, the new building to be in a line with, and to accord with, the great improvements in Cockspur-street, Pall-mall, &c.

New Churches.—The third annual report of the commissioners for building new churches was

presented to parliament, and ordered to be printed, the day before the close of the session. The following is an abstract of its contents:—It commences by a brief recapitulation of the report made in the preceding year, from which it appears that in the interval between the two, ten new churches had been completed capable of affording accommodation to 4,081 persons in pews, and to 9,949 poor persons in free seats. Six of these ten had been already consecrated. The report then proceeds to detail what progress had been made since the preceding year. From this and the schedules annexed, we learn that nine churches had been consecrated; that the number already built can afford accommodation to 7,116 persons in pews, and to 14,399 in free seats. The number of churches or chapels, the building of which is now in progress, is 44. Of these the far greater part will be of the Gothic order; some with tower and pinnacles; some with tower and spire; and some with tower only. There are to be a few of the Doric, Corinthian, and Ionic orders. The whole will be capable of affording accommodation to 34,563 persons in pews, and to 39,842 in free seats. The contracts for building them (including incidental expenses and commission) amounts to 498,681*l.* 18*s.* 4*d.*, or, in round numbers, to half a million sterling. Specific grants have been made for 4 of them amounting to about 30,000*l.* Of the 44 thus in progress, it is stated that 12 will be finished in the course of the present year; 27 in the year 1824, and 5 in the year 1825. In addition to these, it appears that plans for churches or chapels in nine parishes have been

approved of, but the works have not yet commenced. These will be capable of affording accommodation to 5,542 in pews, and to 5,125 in free seats. The estimated expense is 42,040*l.* 7*s.* 8*d.* Specific grants have been given towards the erection of 3 of them, to the amount of 8,555*l.* 11*s.* 1*d.* Plans for the erection of 16 new churches or chapels were before the board of commissioners, and not decided upon when the report was laid before the House. These, it is said, will, if adopted, afford accommodation to 11,321 persons in pews, and to 14,139 in free seats. The estimated expense will be 206,200*l.* 13*s.* 5*d.* Grants have been made by the board for 5 of them amounting to 34,553*l.* There are besides 12 places in which it is intended to build new churches or chapels, of which the plans had not been received by the commissioners at the date of the report. These, it was thought, would be able to accommodate 9,900 in pews, and 8,600 in free seats. The probable expense will be about 90,000*l.* If the 44 churches now in progress, and those decided upon and in contemplation, be finished, they will be capable of affording accommodation to 68,442 persons in pews, and to 82,105 in free seats.—Total, 150,547. The estimated expense of the whole is 834,921*l.* 11*s.* 9*d.* The dioceses in which these new buildings will be situated, and the number in each, are thus given:—In the diocese of London, 24; in that of Chester, 19; York, 15; Winchester, 9; Litchfield and Coventry, 6; Worcester, 2; Durham, 2; Bristol, Lincoln, and Rochester, 1 each. (This does not include the churches already completed.) In order to show that the applications for ad-

ditional churches were not indiscriminately complied with, the commissioners add to their report a list of 25 parishes or parts of parishes, from which application for further church accommodation had been made, "but which," to use the words of the report, "owing to the engagements made on the parliamentary fund, his majesty's commissioners have been under the necessity of rejecting; and a great many other parishes have been deterred from making similar applications, being aware that for the same reason they must prove unsuccessful." The present church accommodation afforded in the 25 places from which these applications have been received, is enough for 89,986 persons, but the population amounts to 311,588. The Exchequer bills, which have been issued by the commissioners up to the present time, amount to the sum of 257,457*l.* The advances consist of specific grants in cases which require it. In other instances, advances are made to the parishes by way of loan, to be repaid without interest in a given time, varying from two to seven years.

Paris in its Civic relations.—Some statistical researches regarding the city of Paris and the department of the Seine, have been published by order of M. de Chabrol, the prefect. The following circumstances are some of the most interesting that they contain:—

The city of Paris pays annually to the state 81,000,000 francs—a sum equal to half the revenue of the whole kingdom of the Netherlands. Of this sum 28,000,000 are paid in direct, and 19,000,000 in indirect taxes; 16,000,000 are received for crown property, acts of registration and stamps;

6,000,000 are derived from the lottery; 5,000,000 from the gaming-houses, and 4,000,000 from the post-office. Each individual, taking the population at 713,000 souls, pays 114 francs; and without the gaming-houses, 106 francs.

Paris under the principal relations of finance and political economy, is a tenth of the whole of France.

The number of houses and chimneys on fire in Paris is as follows:

Chimnies on fire.	Houses on fire.
In 1818—514.....	133
1819—524.....	148
1820—681.....	170

The value of the different buildings insured by the company for mutual insurance is 860,000,000 francs. There are five other companies. The corps of firemen consists of 568 men. The damage sustained by fire every year is upon an average one twenty-three-thousandth part of the value of the houses. Paris contains 560 bakers, 365 butchers, 265 pork-butchers, 927 restaurateurs, innkeepers, cooks, and chophouse-keepers, 325 pastry-cooks, custard-makers, and confectioners, 2,333 retail dealers in wine, 1,466 retail grocers, 1,767 fruiterers, many of whom are also gardeners, 281 corn-chandlers, 787 lemonade-sellers, 416 brandy-merchants, 52 milkmen, &c. In all, 9,761 dealers in articles of sustenance for human life. There are besides 1,749 milk-women, standing in the public streets. The women who have sheltered stalls in the market-places and public streets are about 3,000 in number.

The month in which most deaths occur is April; that in which the least occur, July. In the order of mortality, the calendar will run thus:—April, March, February, May, January, December, June,

September, October, November, August, and July.

The number of deaths in April is in comparison to that in July as 16 to 11.

The following numbers establish the estimate of the difference between the months, as regards the mortality of each; viz:—April, 163; March, 158; February, 158; May, 149; January, 147; December, 130; June, 129; September, 125; October, 123; November, 122; August, 120; and July, 116.

According to the estimate of the deaths during the years 1819 to 1821, in which the distinction of age and sex was established, it is remarked that mortality among males, up to the age of 25 years, is greater than among females, and that from this age up to 50, there die more women than men. It is reckoned that more women than men arrive at advanced age.

In the year 1821, 348 suicides were effected or attempted: in 244 of these cases, death ensued. Of this number, 236 were men. The presumed motives for suicides were—

Amorous passions	35
Alienation of mind, domestic troubles, and painful afflictions	126
Debauchery, losses by gambling, the lottery, &c.	43
Indigence, loss of place, derangement of affairs	46
Fear of reproach and punishment	10
Unknown motives	38

Thirty-three suicides have been effected by severe voluntary falls, 38 by strangulation, 25 by cutting instruments, &c., 60 by means of fire-arms, 23 by poison, 42 asphyxies by charcoal vapour, and 127 by drowning.

Knights of Malta.—During the pendency of the negotiation of a loan to the sovereign order of St. John of Jerusalem, the following circumstances were stated with respect to the actual situation of the order.

According to the statutes of the order, the supreme power is vested in the General Chapter, which is composed of a dignitary of each tongue or nation, who are the representatives or general attorneys of the whole body. The Grand Master alone has two voices, the Lieutenant but one. At the present time there is no Grand Master, but a Lieutenant of the Grand Master, Antonio Busca, Grand Bailly of Armenia, now in Austria, on the business of the order in that country, with the Ambassador of the Order at Vienna, the Bailly Miari. The Knight Vela, Vice-Chancellor, is at Catania. After the taking of Malta, the chiefs of the tongues or nations retired to their respective priories and commandaries; and continued, according to the statutes, to regulate the internal affairs of the Tongues; and as the dispersion of the Knights required a central government, the General Chapter assembled in France on the 26th of May, 1814, under the presidency of Prince Camille de Rohan, Grand Prior of Aquitaine, for the election of a permanent Capitulary Commission, until possession should be obtained of a seat for the knights of the Order, that may represent the Chapters of the Tongues, and the Provincial Chapters of the Grand Priories, which assembled only twice a year. This commission was invested with all the faculties and powers which were exercised by the general chapters and assemblies of the Tongues and

Nations of Provence, Auvergne, France, Castile and Portugal, Arragon and Leon; the representatives of which resided formerly at the principal seat of the order at Malta; the government being thus concentrated in this permanent chapter which included a representation of the Italian and German tongues, by knights selected from those tongues, or from others, in conformity to the statutes. This chapter is empowered to treat on political, civil, and financial affairs. The Bailley de Lascourie, grand prior of Auvergne, is president. The Commander Bertrand de Molville, the knight Peyre de Chateaufort, the knight de Dieune, receiver of the Public Treasury and attorney-general of the late grand master, are the commissioners and general attorneys of the different Tongues; and the Marquis of St. Croix Molair is the chancellor.

The actual number of the knights is 1452, composed of Catholics, Protestants, and members of the Greek Church. There are 4,000 applicants, who, on paying their respective fees, will furnish a sum of twelve millions of francs, to the treasury of the order. It is not to be imagined that the revenues and existence of the order, when it had its seat of Government at Malta, were dependent on the possession of that island. By far the greatest part of the revenue was derived from the possessions of the order in France, Spain, Portugal, Italy, Austria, Bavaria, and other parts of Germany, Russia, and Poland; it arose from the estates called *Commanderies*, in which each commander had only a life interest, and was obliged to contribute a certain part to the common treasury of the order.

At the death of a knight, another contribution, called mortuary, was due to the order, which, besides, received a certain part of the rents of the first subsequent year of estates in that situation. The island of Malta produced little revenue; on the other hand it consumed the revenue transmitted from the other parts of Europe, in the expenses of the Government and the maintenance of the fortifications, ships of war, and troops.

The following is a detailed account of the revenue of the order:—

France.	
The total revenue of the Commanderies formerly amounted to	25,778,704
Deduct the total revenue of those sequestrated or sold by different Governments	10,151,758

Total of the annual revenue still possessed by them	15,626,946
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The <i>responsions</i> or contributions from the above revenue, formerly paid annually into the treasury of the order ..	3,638,836
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Deduct the annual *responsions* of the commanders or possessions of the or-

der sold	1,898,043
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Amount of the revenue actually paid for <i>responsions</i> into the treasury of the order	2,246,782
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Amount of the mortuaries, and various other dues annually received into the treasury	1,545,000
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Actual amount of the revenue received into the general treasury of the order ..	3,790,762
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Annual income from the forests in France belonging to the order (valued at 29,000,000 francs)	870,000
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Total .. 4,660,772

Prussian Universities.—In the summer of 1822, the university of Berlin had 1,182 students; Bonn, 571; Breslau, 539; Halle, 866; Königsberg, 259: the number at Griesswalde is unknown. The total number of students in Prussia, in 1822, was 1,236 students of theology (198 only being Catholics); 1,069 in law; 644 in medicine; 468 in philosophy and philology. Those at Griesswalde were but few.

Sweden and Norway.—A map of Sweden and Norway, constructed by Hagelstam in 1820, from official documents, presents the following results:

	Sweden.	Norway.
Extent in Swedish miles (10½ to a degree)	8,871	2,828
Population in 1816,	2,465,066	886,470
Number of parishes and churches,	2,400	840
Military force by land,	116,569	22,000
Military force by sea,	23,739	
Population of both,	3,851,536	
Extent, { Swedish sq. miles,	6,699	
{ English ditto,	294,000	

Russian Statistics.—Population return.—From the official statement published by the Synod (which however includes only the members of the Russian Greek church) it appears that in the year 1820, there were in the whole empire—Born, males, 827,729; females, 742,670—total 1,570,399. Died—males, 467,683; females, 449,997—total 917,680—Excess of births, 652,719.

The births were 48,265 more than in the year 1819; yet notwithstanding the increase of population, the deaths were 1,429 fewer than in 1819. The deaths of male children under five years of age were 243,029; being above one half of the whole. Among the males who died in the same year (the ages of the females are not stated), 807 had attained an age of above 100 years; 301, 105; 143, 110; 78, 115; 41, 120; 14, 125; 7, 130; 4, 135; 1, between 140 and 145.

The greatest number of those who attained the age of above ninety years, in proportion to the population, was in the governments of Tambov, Kaluga, and Kasan; the fewest in Archangel, Woronesch, and the Ukraine. In the governments of St. Petersburg, Moscow, Archangel, and Mohilew, no person attained the age of a hundred years. It is to be observed, that if we except the ten first years of infancy, the greatest mortality takes place between the ages of sixty and sixty-five; for in this period the deaths of the male sex were 17,460; that is, the 27th part of the whole. The marriages were 317,805, being 22,470 fewer than in 1819. In St. Petersburg, in 1821, the number of births was 8,504; including, however, the Catholic,

Lutheran, and other communities; the number of deaths was 9,706.

Education in Portugal.—Portugal contains 873 elementary schools; in 266 of which, Latin is taught, and in 21, Greek and Rhetoric; in 27, Philosophy, natural and moral.—At Coimbra, there is a university, directed by six of the faculty, and a preparatory college for students.—The university and college together contain, annually, from 1,280 to 1,600 students. In 1819, all these establishments were attended by 31,401 pupils. Besides these national institutions, there are several others, where youth are educated for particular professions,—such as the Marine and Commercial Academies at Porto, which contained 315 students in 1820; and the Academy at Lisbon, in which there were 315 students in 1821. The Commercial Academy at Lisbon is attended annually by 150 pupils. In the same city there are, the Royal College of Nobles, the Royal Academy for the Arabian language, the Royal School of Civil Architecture and Drawing, a Royal School for Sculpture, another for Engraving, an Institution for Music, and several other public Institutions of less note. The Military School for mutual instruction, to which are admitted the children of citizens, had 2,518 scholars in 1818, and this number has much increased since. The Royal Academy of Sciences at Lisbon has published, annually, memoirs not less learned than useful, on every branch of knowledge. The Portuguese have lately formed several literary societies, among which are, The Patriotic Literary Society, and the Society of Encouragement, at Lisbon. The annual average of books printed in

Portugal; between 1805 and 1819; amounts to ninety-four. But liberty has conferred new energies on the press and genius of Portugal; and the publications, within the two last years, have been trebled, besides the increase of journals and newspapers.

Petition of Haydon.

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

"The humble petition of Benjamin Robert Haydon, Historical Painter, late of Lisson-grove North, now in the King's-bench prison;

"Sheweth,—That it is now seven years since the committee for the purchase of Elgin marbles, in dismissing the subject of their deliberation, 'submitted to the attentive consideration of the house how highly the cultivation of the Fine Arts had contributed to the reputation, character, and dignity of every government by which they had been encouraged, and how intimately they were connected with the advancement of every thing valuable in science literature, or art.'

"That though this recommendation of the honourable committee excited the hopes and ambition of all those who were desirous of seeing their country distinguished by excellence in the arts, no further notice has been taken of the subject; and that, under the sanction of this recommendation, your petitioner presumes to hope that permission will be granted to him to bring so interesting a subject before the attention of your honourable house.

"That as the said committee has admitted the importance of the

arts to every thing valuable in science and literature, any attempt to prove their importance to a country would be superfluous; but that, in addition to the benefits which have always accrued to every nation by which the arts have been successfully protected, the improvement of its manufactures cannot be denied nor overlooked. That there are two ways in which your petitioner presumes to think a successful excitement to the genius of the country towards historical painting could be given, viz. the purchase and presentation of pictures to adorn the altars of churches, or the sides of public halls, and the employment of artists of distinguished reputation to produce them. That, were such an example given by your honourable house, the corporate authorities of the most distinguished towns would immediately follow it, as they are doing and have done with regard to the encouragement of sculpture.

"That had your hon. house done nothing whatever for any art or science, historical painting could not complain; but as your hon. house has for 50 years bestowed the most liberal patronage on sculpture, as examples have been purchased for its improvement, and galleries built for their reception, your petitioner appeals to the feelings of justice in your hon. house, whether the English historical painters, who, without one public act in their favour, have rescued their country from the stigma of incapacity which so long hung over it in the opinion of foreign nations, do not deserve to share some part of the favour of your hon. house so liberally bestowed on another department.

"That were there no pictures in churches, no music, or no sculp-

ture, painting could not object to share exclusion with her sister arts; but that as sculpture, and music, and painting are admitted, and as many of the highest authorities in the Church have expressed their approbation at such admission, your petitioner earnestly hopes that your honourable house will not think it a subject over which you ought to have no control. That most of the historical productions painted in this country, by which its reputation has been raised, have been executed, not as in Italy and Greece, in consequence of encouragement, but in spite of difficulties. That Barry painted the Adelphe for nothing; that Hogarth adorned the Foundling for nothing; that Reynolds offered to grace St. Paul's by his pencil, and yet was refused. That historical pictures the full size of life being inadmissible into private houses from the nature of their execution, and such pictures being the only ones that have given countries their fame, where art has flourished; as the leading authorities of those countries were always the patrons of such productions, and from the expense attendant on their execution could alone be so, your petitioner humbly hopes your honourable house will not think it beneath its dignity to interfere, and by a regular distribution of a small part of the public wealth, place historical painting and its professors on a level with those of the other departments of the arts.

"That your petitioner (if he may be permitted to allude to his own misfortunes), has devoted 19 years to the study of historical painting; that his productions have been visited by thousands in England and in Scotland; that he has received signs of regard and esti-

mation from many of the most celebrated men in Europe; that the day after he was imprisoned, he was greeted by a distinguished honour from a foreign academy; but that historical pictures of the size of life being ill-adapted to private patronage, he has been overwhelmed by the immense expense of such undertakings. That he has been torn from his home and his studies; and all the materials of his art, collected with the greatest care from all parts of the world, the savings and accumulation of his life, have been seized. That he is now in the King's bench, separated from his family and his habits of employment, and will have to begin life again, with his prospects blighted, and the means by which alone he could pursue his art, scattered and destroyed.

"That your petitioner prays you would take the situation of the art into your consideration, more especially at a time when large sums are expending upon the erection of new churches, a very inconsiderable fraction of which would improve these sacred edifices, and effectually rescue historical painting and its professors from their present state of discouragement. And he humbly prays you to appoint such a committee as investigated the subject of the Elgin marbles, to inquire into the state of encouragement of historical painting, and to ascertain the best method of preventing, by moderate and judicious patronage, those who devote their lives to such honourable pursuits, so essential (as your committee has affirmed) to science, literature, and art, from ending their days in prison and in disgrace. And your petitioner will ever pray, &c. &c.

"B. R. HAYDON."

P O E T R Y.

STYRIAN EVENING-HYMN TO THE VIRGIN.

From "A Tour in Germany and some of the Southern Provinces of the Austrian Empire."

FADING, still fading, the last beam is shining ;
Ave Maria ! day is declining.
Safety and innocence fly with the light,
Temptation and danger walk forth with the night ;
From the fall of the shade, till the morn'g shall chime,
Shield us from danger, and save us from crime.
Ave Maria ! audi nos.

Ave Maria ! hear when we call,
Mother of him, who is brother of all :
Feeble and failing, we trust in thy might ;
In doubting and darkness, thy love be our light ;
Let us sleep on thy breast, while the night-taper burns,
And wake in thine arms, when the morning returns.
Ave Maria ! audi nos.

HOPE AND MEMORY.

From Joanna Baillie's Collection of Poems.

HOPE.

NAY, sister, what hast thou to boast
Of joy ? a poor reciter thou,
Whose happiest thought is but the ghost
Of some past pleasure vanish'd now.
When better things may not be found,
By sad reflecting, weary men,
They on thy records look around,
Their only friend, and only then.

ANNUAL REGISTER, 1823.

Then on delight for ever fled
 They cast a melancholy view,
 Where, as on pictures of the dead,
 The likeness makes the sorrow true.
 But could'st thou from thy page efface
 What brings regret, remorse, or shame,
 Nor all our wandering steps retrace,
 Then mortals might endure thy name.

MEMORY.

And what art thou, vain Hope? a cheat:
 For didst thou ever promise make,
 That either time did not defeat
 Or some intruding evil break?
 Or say that chance has prov'd thee true,
 The expected joy shall be thy own;
 No sooner comes the good in view,
 But Hope herself, is lost and gone.

Soon as the hop'd-for thing appears,
 That was with such delight pursued,
 Another aspect then it wears,
 And is no more the fancied good.
 So 'tis in dreams, men keenly chase
 A something lov'd, desir'd, caress'd;
 They overtake, and then embrace
 That which they loathe, despise, detest.

True, sister, true! in every age
 Will men in thy delusions share;
 And thou a lasting war wilt wage
 With Wisdom's joy and Reason's care.
 Who comes to thee? the rash, the bold,
 The dreaming bard, the sighing youth:
 For what? for fame, for love, for gold,
 And they receive thy tales for truth.

Emmas and Lauras at thy shrine
 Attend, and deem thy answers true,
 And, calling Hope a power divine,
 Their Corydons and Damons view.
 And girls at school and boys at taw,
 Seduced by thy delusive skill,
 Think life is love, and love is law,
 And they may choose just whom they will.

HOPE.

Say is not mine the early hold
 On man? whose heart I make my own

P O E T R Y.

And, long e'er thy dull tale be told,
 I bear him forth to worlds unknown.
 Before the mind can trust to thee,
 And slowly gain thy heavy store,
 It travels far and wide with me,
 My worlds and wonders to explore.

Thou lend'st him help, to read, to spell,
 His progress slow, his efforts mean :
 I take him in my realms to dwell,
 To win a throne, to wed a queen.
 How could he bear the pedant's frown,
 That frights the sad bewilder'd boy,
 Or hear such words as verb and noun,
 But for my tales of love and joy ?

MEMORY.

True, to thy fairy world he goes,
 And there his terms he idly keeps,
 Till Truth breaks in on his repose,
 And then for past neglect he weeps.
 What, if we grant the heart is thine
 Of rash and unreflecting youth,
 How is it in his life's decline,
 When truth is heard and only truth ?

On me the quiet few rely,
 For Memory's store is certain gain ;
 For aid to thee the wretched fly,
 The poor resource of grief and pain.
 My friends like lawful traders deal
 With just accounts, with real views ;
 But thine as losing gamblers feel,
 Who stake the more the more they lose.

HOPE.

And they are right, for thus employ'd
 They fall not to disease a prey ;
 Thus every moment is enjoy'd,
 And 'tis a cheerful game they play.
 And tell me not they lose at last ;
 Such loss is light, such care is vain,
 For if they hope till life be past,
 What hours for care or grief remain.

You say the rash, the young, the bold,
 Are mine, and mine they are, 'tis true ;
 But, sister, art thou sure the old
 And grave are not my subjects too ?

Struck by the palsy's powerful blow,
 By the hir'd hands of servants led,
 Cold, tottering, impotent, and slow,
 Borne to the board, and to the bed,
 Hear how the ancient trembler prays,
 Smit with the love of lingering here !
 " Hold yet my thread, flow on my days,
 " Nor let the last sad morn appear !"

The sage physician feels my aid
 Most when he knows not what to do :
 I whisper then, " Be not afraid,
 " For I inspire thy patient toe."

MEMORY.

Vain of thy victories, thus misled
 Thy power I own ; alas ! I fear,
 It is this syren song I dread
 Which wretches long and die to hear.
 No ears are stopt, no limbs are bound,
 Impatient to thy coast they fly,
 And soon as heard thy witching sound,
 They rest, they sleep, they dream, they die.

A poet once—the tribe are thine,
 But yet I would my counsel give,—
 And said, "'Tis naught ! the work decline :
 " Thou once hast fail'd, this will not live."
 Deeply he sigh'd, and thou wert by,
 To fan the half-extinguish'd fire :
 " Try once again," thou saidst, " oh ! try,
 " For now shall all the world admire."

HOPE.

And how, I pray, can this be wrong ?
 The man has clear and certain gain ?
 For when the world condemns his song,
 He can condemn the world again.
 Inspired by me, in strains sublime
 Shall many a gifted genius write,
 For mine is that bewitching rhyme
 That shall the wondering world delight.

MEMORY.

Yes, thou hast slumbers light and vain,
 And mayst, I grant, a poet boast ;
 I cannot show so large a train,
 But I have one, and he an host.

POETRY.

HOPE.

Still, I'm the nurse of young desire,
The fairy promiser of bliss:
I am the good that all require
In passing through a world like this.

MEMORY.

Say, rather, thou'rt the glow-worm light,
That mocks us with a faint display
Of idle beams, that please the sight,
But never serve to show the way.

HOPE.

Alas! but this will never end,
'Tis like a grave old aunt's relation;
I would that reason might attend,
And terminate our disputation.

REASON.

Obedient to your wish am I,
And thus my sentiments disclose;
Together you must live and die,
Together must be friends or foes.

For what is Hope, if Memory gives
No aid, nor points her course aright?
She then a useless trifler lives,
And spends her strength in idle flight.

And what from Memory's stores can rise
That will for care and study pay?
Unless upon that store relies
The Hope that heavenward wings her way.

Be friends, and both to man be true;
O'er all their better views preside;
For Memory greatest good will do
As Hope's director, strength, and guide.

So shall ye both to mortals bring
An equal good in Reason's scale;
And Hope her sweetest song shall sing,
When Memory tells her noblest tale.

A RIDDLE.

From the Same.

'Twas in heaven pronounced, and 'twas muttered in hell
 And echo caught faintly the sound as it fell :
 On the confines of earth 'twas permitted to rest,
 And the depths of the ocean its presence confest ;
 'Twill be found in the sphere when 'tis riven asunder,
 Be seen in the lightning, and heard in the thunder.
 'Twas allotted to man with his earliest breath,
 Attends at his birth, and awaits him in death,
 Presides o'er his happiness, honour, and health,
 Is the prop of his house, and the end of his wealth.
 In the heaps of the miser 'tis hoarded with care,
 But is sure to be lost on his prodigal heir.
 It begins every hope, every wish it must bound,
 With the husbandman toils, and with monarchs is crown'd.
 Without it the soldier, the seaman may roam,
 But wo to the wretch who expels it from home !
 In the whispers of conscience its voice will be found,
 Nor e'en in the whirlwind of passion be drown'd.
 'Twill not soften the heart ; but though deaf be the ear,
 It will make it acutely and instantly hear.
 Yet in shade let it rest like a delicate flower,
 Ah breathe on it softly—it dies in an hour.

STONEHENGE.

*A Newdigate Prize Poem, recited at the Theatre, Oxford, June 1823.**By T. S. SALMON.*

WRAPT in the veil of time's unbroken gloom,
 Obscure as death, and silent as the tomb,
 Where cold oblivion holds her dusky reign,
 Frowns the dark pile on Sarum's lonely plain.

Yet think not here with classic eye to trace
 Corinthian beauty, or Ionian grace ;
 No pillar'd lines with sculptured foliage crown'd,
 No fluted remnants deck the hallow'd ground ;
 Firm, as implanted by some Titan's might,
 Each rugged stone uprears its giant height,
 Whence the poised fragment tottering seems to throw
 A trembling shadow on the plain below.

Here oft, when evening sheds her twilight ray,
 And gilds with fainter beam departing day,
 With breathless gaze, and cheek with terror pale,
 The lingering shepherd startles at the tale,
 How at deep midnight, by the moon's chill glance,
 Unearthly forms prolong the viewless dance ;
 While on each whisp'ring breeze that murmurs by,
 His busied fancy hears the hollow sigh.

Rise from thy haunt, dread genius of the clime,
 Rise, magic spirit of forgotten time !
 'Tis thine to burst the mantling clouds of age,
 And fling new radiance on Tradition's page :
 See ! at thy call, from Fable's varied store,
 In shadowy train the mingled visions pour :
 Here the wild Briton, 'mid his wilder reign,
 Spurns the proud yoke, and scorns th' oppressor's chain ;
 Here wizard Merlin, where the mighty fell,*
 Waves the dark wand, and chants the thrilling spell.
 Hark ! 'tis the bardic lyre, whose harrowing strain
 Wakes the rude echoes of the slumbering plain ;
 Lo ! 'tis the Druid pomp, whose lengthening line
 In lowliest homage bend before the shrine.
 He comes—the priest—amid the sullen blaze
 His snow-white robe in spectral lustre plays ;
 Dim gleam the torches thro' the circling night,
 Dark curl the vapours round the altar's light ;
 O'er the black scene of death, each conscious star.
 In lurid glory, rolls its silent car.

'Tis gone ! e'en now the mystic horrors fade
 From Sarum's loneliness, and Mona's glade ;
 Hush'd is each note of Taliesin's† lyre,
 Sheath'd the fell blade, and quench'd the fatal fire.
 On wings of light Hope's angel form appears,
 Smiles on the past, and points to happier years :
 Points, with uplifted hand, and raptur'd eye,
 To yon pure dawn that floods the opening sky ;
 And views, at length, the sun of Judah pour
 One cloudless noon o'er Albion's rescued shore.

* On this spot it is said that the British nobles were slaughtered by Hengist.

† Taliesin, president of the bards, flourished in the sixth century.

I N D E X.



[N. B. The figures within crotchets refer to the History; those with a * to the Appendix to Chronicle, &c.; and the others to the Chronicle.]

- ABBERVILLERS**, ghost at, 104
Accident at the theatre, Newcastle, 20
Acetate of Morphine, 17*
A'Court, sir W., his correspondence with Mr. Canning, relative to the affairs of France and Spain, 116,* &c.
Acts, public general, list of, 235
Admiralty sessions, 53
Advertisement, singular Chinese one, 154
African institution, 17th report of, 80; circulation of works by, on the continent, 93* :—see also *Slave trade*
Agricultural distress: discussion on, in parliament, [95]; meeting at Norwich respecting, 5; at Hereford, 8; Somersetshire, *ib.*
Agriculture, report on the state of, in New South Wales, 71*
Ale and porter, quantity of, brewed in London, 86
Alert (packet), loss of the, 39
Ambassador, action to try whether the property of persons attached to one, be subject to legal process, 53
America, appointment of British consuls in South America, [144]; capt. Franklin's journey to the Polar Sea, 281* ; affairs of South America;—see *Brazil, Buenos Ayres, Chili, Columbia, Mexico, Peru*; of North America,—see *Canada, and United States*
American duelling, 68
Angerstein, Mr., death of, 189
Angoulême's, duke of, proclamation to the Spaniards, [189], 158*—see also *Spain*
Antiquities, discovery of, at Rome, 46; tessellated pavement discovered at Weyhill, 67; painting of the murder of archbishop Beckett, discovered at Wootton Bassett, 118; the ancient town of Orea discovered, in Fifeshire, 153
Appellate jurisdiction, [93]; report on, 63*
Appeals, writs of error, &c., report of the House of Lords on, 63*
Arctic Seas, animalcules in, 290* ; refraction of light, 293*
Arracacha, new esculent plant, description of, 304*
Arts and manufactures, 308*
Auricular organs, 289*
Aurora Borealis, 294*
Assassination of Mr. Horrocks, attempted, 101
Assizes and Sessions: *Aylesbury*, T. Randall and J. Croker, for murder of Mr. and Mrs. Needle, 36*
Chelmsford; Felix Reynolds, rape, 31
Croydon; P. Stoffel and C. Keppel, murder of Mrs. Richards, 44*
Ely; J. Rolfe, murder, 21
Enniskillen; J. Keys, murder of his father, 36
Lincoln; W. Arden, B. Chandelers, and J. Doughty, unnatural crime, 30
Maidstone; W. Donellan, murder of his wife, 103
Manchester; Shore, &c. robbery; outrage committed by them in court, 140
Middlesex; Jas. Wilson, assault on his own daughter, 128
Staffordshire; Sir G. Jerningham, v. Beech, action of trover, to recover the value of trees cut down, 31; Jas. Roxborough and wife, fraud and robbery, 159
Thurton; E. Bryant, &c. maiming, 45
Waterford; H. Delap, murder, 93
Austria: causes the press to be restricted in Bavaria, [176]; and in Switzerland, [177]; and refugees to be expelled from the latter country, [178]; interview between the emperors of Austria and Russia, [179]
Azzolari, M., case of seduction by, 89
Y 2

INDEX.

- Badeley, Dr., his narrative of a miraculous cure by prince Hohenlohe, 23
- Bahia,—see *Brazil*
- Baillie, capt., defended by Mr. Erskine, for a libel on lord Sandwich, 213*
- Balfour, Dr., his ice life-preserver, 309*
- Ballet, Hippolyte, murder of, by C. Castaing, 1* [165]
- Bank stock, reduction of, from 5 to 4 per cent, 36
- Bankrupts, 247
- Barbadoes, outrage against Missionary Shrewsbury, [133]
- Barlow, sir G., his administration in India, 239*
- Bear, one found at Sanderton, Bucks, 127
- Beer Bill, [104]
- Beard, Jos., prize awarded to, for his virtuous conduct, 112
- Beckett, archbishop, painting discovered representing his murder, 118
- Begu and Lafforcade, trial of, for murder, 98
- Belzoni, G., death of, 211
- Bettera, count de, committed to prison for violence towards prince Esterhazy, 27
- Bills in the House of Commons, form of engrossing, 66*
- of mortality, table of, 250
- Bingley, rev. W., death of, 192
- Birmingham, nest of coiners discovered at, 90
- Bloomfield, the poet, death of, 202
- Blucher, count, wounds an actor, 146
- Bolivar, pension to, [247]; placed at the head of affairs, in Peru, [250]; letter to Agüera, [251]; *note*
- Bond, rt. hon. Nath. death of, 209
- Bordwine, Mr., instrument for finding the latitude, 308*
- Bordeaux, case of the vicar of St. Eloi, and M. Barthes, 115
- Boursier, Madame, trial of, for the murder of her husband, [166] 19*
- Bowring, Mr., motion in parliament, respecting his imprisonment, [139]
- Brazil: separation from Portugal, [217]; commercial regulations indicative of a hostile spirit, [*ib.*]; political dissensions, [218]; meeting of the congress, [*ib.*]; emperor's speech, [219]; change of ministry, [220]; emperor's proclamation, [*ib.*] *note*; violent proceedings of the congress, [222]; congress dissolved by military force, [223]; another change of ministry, [224]; emperor's proclamation, respecting a new constitution, [*ib.*]; murder of the Portuguese at Para, [226]; horrible destruction of some of the rioters, [227]; *note*. military operations at Bahia, [228]; San Salvador evacuated by the Portuguese, [229]; lord Cochrane's operations by sea, [*ib.*]; Monte Video surrenders to the Brazilians, [230]; Portuguese commissioners not allowed to treat, [*ib.*]; Finances, [*ib.*]; emperor's manifesto, after dissolving congress, 169*; project of the constitution, 172*; the legislative power, 173*; the executive ditto, 176*; of the succession, &c. 177*; of the ministry, 178*; of the military force, 179*; of the judicial power, *ib.*; administration of the provinces, 180*; civil and political rights of the people, *ib.*
- Brewster, Dr., fluid discovered by, in minerals, 297*; experiments for forming artificial haloes round the sun, &c. *ib.*
- Bridgewater, earl of, death of, 209
- Brougham, Mr., speech on the affairs of Spain, [8]; unsuccessful reply to Mr. Canning's vindication of the policy of Great Britain towards Spain, [45]; motion relative to the administration of justice in Ireland, [65]; invective against Mr. Canning, [76]
- Brownlow, Mr., motions by, respecting the riot at the Dublin theatre, [52], [53]
- Budget, [113]; French, [157]
- Buckinghamshire, Van Dieman's Land, 77*
- Buenos Ayres, prosperity under Rivadavia, [253]; preliminary convention with Spain, [*ib.*], 196*; misunderstanding between the government and capt. Willis, *ib.*
- Burdett, sir F., speech on the Spanish affairs, [34]; motion for inquiry into the conduct of the sheriff of Dublin, [56]
- Byron, lord, letter from, to the Greek committee, 63
- Cadiz, operations before, [204]; surrenders to the French, [208]
- Cahuac and Beeman, trial of, for stealing books, 125
- Canada, fire on board the *De Salaberry* steam-boat, 71; steam navigation, 72; three boys upset in a canoe near the Chêne Rapids, 74.
- Canning, Mr., takes his seat in par-

INDEX.

- liament, [16]; explains the conduct pursued by ministers respecting Spain, [18]; justifies the neutrality of England, in the war between France and Spain, [25]; his speech vindicating the conduct of the ministry respecting the affairs of Spain, [37]; his defence on being charged with defection from the cause of Catholic Emancipation, [75]; gives a denial to the imputations cast against him by Mr. Brougham, [76]; refuses to acknowledge the regency of Madrid, [145]; his popularity; and his speech at Plymouth, [146]; his letter of resignation to his constituents at Liverpool, 9; takes his seat in parliament, 16; visit to Plymouth, 151; correspondence with the duke of Wellington, relative to the affairs of France and Spain, 97*; letter to, from visc. Chateaubriand, 110*; letter to sir C. Stuart, 113*; to sir W. A'Court, 115*; from ditto 116*; to ditto 118*; from ditto 119*; to ditto *ib.*; from sir C. Stuart, 129*; to ditto, *ib.*; to sir W. A'Court, 132*; from lord Fitzroy Somerset, *ib.*; from sir C. Stuart, 134*; from sir W. A'Court, 135*; ditto ditto, 136*; from sir C. Stuart, 137*; from sir W. A'Court, *ib.*; ditto ditto *ib.*; from sir C. Stuart, 138*; from sir W. A'Court, *ib.*; ditto ditto 139*; to sir C. Stuart 140*
- Cape of Good Hope, condition of the new settlements at, [138]
- Carascosa, gen. his duel with gen. Pepe, 25
- Cardinals, new creation of, at Rome, 30
- Cardon, M., editor of the Journal du Commerce, indicted, 34; sentenced to imprisonment and fine, 38
- Castaing, trial of, for the murder of Hippolyte Ballet, [165]; 1*
- Caterpillars on fruit trees, destruction of, 302*; ditto, by sparrows, 303*
- Catholic Question, the, [73]; bills for conferring the elective franchise on English Catholics, [80]; lord Colchester's motion, [81]
- Chancery, meeting of solicitors, respecting the business of, 19; increased business in the court of, 63*
- Chancery records, 319*
- Chateaubriand, M., letter to Mr. Canning, on the relations between Spain and France, 110*
- Chemistry, 297*
- Cherbourg, selected by Dumouriez as a naval port, 239*
- Chili: discontent at O'Higgins' administration, [252]; he and Rodriguez resign, [*ib.*]; Freyre appointed director, [253]; earthquake, 295*
- Chickens, hatched by steam, 310*
- China, intelligence from, 44; singular advertisement, 154; affray between the crew of the Topaze and the natives, 146
- Christian, E., death of, 194
- Chronometers, effect of magnetism on, 299*
- Churches, new, 323*
- Circuit, correspondence relative to a barrister's right of changing his circuit, 49
- Cobbett, address moved by, at Norwich, [2]
- Cochrane, lord, takes several of the Portuguese fleet, [229]
- Coiners, fraudulent, discovered at Birmingham, 90
- Coke, Mr., and lady Anne, Mr. Humphrey's pamphlet, against, 129
- Cologne, murder at, 131
- Columbia: Santa Martha, taken by the Spaniards, [244]; defeated from the Spanish fleet, [*ib.*]; capture of Maracaybo, and Porto Cabello by the Columbians, [245]; insurrection at Pasto, [*ib.*]; Session of congress, and decree relative to the loan, [246]; pension to Bolivar, [247]; schools, [*ib.*]; alliance with Chili and Peru, [*ib.*]; message of the executive power, at opening the first constitutional congress, 198*; Spain refuses to acknowledge its independence, *ib.*; acknowledged by the United States, 199*; mission to Lisbon and Rome, 200*; hopes of prosperity, and spread of information, 201*; treaty with Peru, 204*
- Congress at Verona, [19]; see *Verona*
- Connolly, Mr., taken into custody for shooting J. Grange, 165
- Constant, B., fined, 18
- Convicts, report on, 43
- Cooke, lieut., correspondence between commodore Porter, and the commandant of Porto Rico, relative to his death, 53
- Copper-mine River, 256*
- Copper mountains, 261
- Corn, motion for a reduction of its import price, [97]
- Coroner's inquest, on T. H. Griffiths, and his son, Abel Griffiths, 77
- Correspondence, diplomatic, relative

INDEX.

- to the affairs of France and Spain, 93
- Cotton, sir R. account of, 320*
- Cottonian manuscripts, *ib.*
- Covent Garden Theatre; Julian, a tragedy, 34; Spanish subscription fancy Ball, 85
- Courier François, Legraiveux, the editor, imprisoned and fined, 39
- Courts; *Admiralty*; case of the Dundee, 32*
- Chancery*; Gill v. Gill, de lunatico inquirendo, 101
- Common Pleas*; Thurtell, v. Beaumont, recovery of value of property insured, 92
- Common Pleas*, Dublin; Cuthbert, v. Browne, *deception in marriage*, 35*
- Crabb, rev. G., Hope and Memory, poem by, 331*
- Delegates*; Miller v. Bloomfield, &c. liability of stock in trade to church-rates, 76; Seager v. Bonde; right of erecting a monument in a church without the consent of the ordinary, 77
- House of Lords*; Reid v. Reid, Scotch marriage, 29*
- King's Bench*; intimation to the bar, Mr. Selwyn, 14; the King, v. Wright, blasphemous libel, 18; O'Meara, libels on sir H. Lowe, 19; Novello, v. Towgood, 53; Macpherson, v. Lovie, *breach of promise of marriage*, 72; the King, v. Bigley, *Edmonton fair*, 86; Savoy v. Price, *infringement of patent Seidlitz powders*, 156
- Guildhall*; Shaw v. Williams, *seduction*, 40*
- Dublin; Forbes, &c. *for outrage on the lord lieutenant*, 21*
- Palace Court*; Oates v. Burgoyne, *trespass*, 143
- Of Session, Scotland*; Macgregor v. McNeil, or Jolly, *declarator of marriage*, 10; *case of law of marriage*, 149
- Court-Martial; lieut. Hamilton of the Topaze, firing on some Chinese, Crawford, Mr., his mission to Siam, 100
- Crees, an Indian tribe, 253*
- Criminal code,—see *Macintosh*.
- Cuba, piracies at, [20]; repressed by the United States, 188*
- Curwood, Mr., correspondence with Mr. Jervis, relative to his changing his circuit, 40
- Currency, motion on, [100]
- Davison, secretary, account of the transactions connected with the execution of Mary Queen of Scots, 244*
- D'Enghien, Duc, account of his death, 242*
- Dead bodies, how long recognizable, 67
- Death, sudden, extraordinary case of, 132
- Deccan prize case, 16
- Demerara, insurrection of the slaves at, [134]; general Murray, the governor, fired at, [135]
- Denmark: privateers not allowed to enter the Danish ports, [171]; the nobles complain of being deprived of their political privileges, [172]
- Digestion, experiments on, 285*
- Diorama, 309*
- Disturbances: a police-officer and proctor killed, at Castlehaven, Ireland, 86; Musselburgh races, 97; by the prisoners in the court at Manchester sessions, 140
- Dixon, captain, robbed by banditti at Faenza, 48
- Dobereiner, experiments on vegetation by, 301*
- Downe, Sarah, murdered by John Radford, 95
- Dublin: parliamentary inquiry into the conduct of the sheriff relative to the trial of Forbes, &c. [56]; conspiracy against the lord lieutenant, 3; remonstrance of the grand jury on the attorney-general animadverting on the bills being ignored by them, 6; claims of the Catholics to pray over their dead in Protestant church-yards, 116; trial of Forbes, &c. for an outrage on the lord-lieut. 21*
- Duel between generals Pepe and Casascoa, 25
- Duelling, American, 68
- Dumouriez, general, memoir of, 236*
- Dundee and Princess Charlotte, vessels, case of, 32*
- Dynamometer, Regnier's, 239*
- Earthquake in Chili, 293*
- East, G., executed for rape, 8
- Edmonton fair, declared illegality of, 86
- Education of the poor, in Ireland, returns to Parliament on, 56*; state of, in Portugal, 326*

INDEX.

- Eldon, lord, his character as a lawyer, 218°
- Elephant, narrow escape from, by captain Gambier and Mr. Hay, at Ceylon, 136
- Elisabeth, queen, secretary Davison's interview with, for her signing the warrant for the execution of Mary queen of Scots, 244°
- Ellenborough, lord, motion respecting the conduct of ministers, [27]
- Engrossing of bills in the House of Commons, form of, 66°; engrossing hand the best for the purpose, 67°
- Erskine, lord, memoir of, 212°; his defence of captain Baillie, 213°; of lord G. Gordon, 215°; character as a parliamentary orator, 217°; created lord chancellor, 218°
- Esquimaux, 261°, 272°; their snow-houses, 273°; superstitions, 274°
- Excise revenue, improvement in, [115]
- Executions: Robert Hartley for stabbing captain Owen, 2; Giles East, rape, 8; John Radford, murder, 95; Pallet, for murder of Mr. Mumford, 165
- Fanaticism, horrible instance of, in Switzerland, 41.
- Female convict, disguised as a man, 132; preacher, 69.
- Ferguson, lieut., killed in duel by captain Roche, 1773, 224°
- Finances: Brazilian, [230]; Russian, 153; of the United States, [240], 186°; table of ditto, 195
- Fires: the new theatre at Munich, 8; church of S. Paolo fuor delle Mura, Rome, 89; at the settlement of the Moravian brethren at Sarepta, 107; at Liverpool, 136
- Fish, very large ones at Montreal, 123; sugar used in preserving, 302°
- Forbes, Graham, Brownlow, &c. motions and proceedings in parliament connected with their trial, [52], [56]; trial of at Dublin, for an outrage on the lord lieutenant, 21°
- Foreign stock exchange, 1
- Forests, royal, 256
- France: Mr. Canning's statement of the policy pursued by Great Britain towards France, [23]; pretended violation of the neutrality of the French soil by Spanish troops, [148]; elevation of Villèle to the ministry, [149]; speech at the opening the Chambers, [15.]; the French ambas-
- sador leaves Madrid, [151]; Talleyrand's speech in favour of peace, [15.]; debate in the Chamber of Deputies on war with Spain, [154]; the address, [155]; Budget, [157]; provision for expenses, &c. for 1824, [158]; discussion on the policy of the Spanish war, [15.]; Chateaubriand's defence of the ministerial policy, [159]; proceedings against Manuel, [160]; disturbances excited by his expulsion from the chamber, [162]; tumults at Lyons, [163]; addresses against the war, [15.]; war announced, [15.]; triumphal return of the duke of Angoulême, [164]; communication with England respecting South America, [15.]; dismissal of the duke of Belluno, [165]; remarkable trials, [15.]; maintenance of the clergy, [167]; English artisans, [168]; the duke of Angoulême's proclamation to the Spanish nation, [169], 158°; commencement of the campaign in Spain, [169];—see *Spain*; contraband slave trade, 81°; France not sincere in her professed desire for the suppression of slavery, 86°; diplomatic correspondence relative to France and Spain, 93°; danger to France from a revolution in Spain, 112°; neutrality adopted by England respecting France and Spain, 141°; no hostile views towards Portugal, 147°; king's speech, Jan. 28th, 149°
- Franklin, captain, journey to the Polar Sea, 251°; Crees, 253°; Chepey-wans, 254°; mosquitoes, 255°; Copper-mine river, 256°; winter preparations, 257°; intense cold, 258°; snow-houses, 15.; winter occupations, 259°; wolves, 261°; copper mountains, 15.; excessive privations, 264°, and horrible sufferings of the party, 266°; Dr. Richardson's narrative, 267°; Mr. Hood assassinated by an Iroquois, 268°
- Franks family, murder of, in Ireland, 115
- Freemasonry, Russian ordinances against, [179]
- French marriages, 1; loan, 88; newspapers, 90; manufactures, 119
- Fruit, maturation of, 305°
- Fruit-trees, caterpillars destroyed on, 307°
- Gaming houses, 19

INDEX.

- Gas, coal, expansive force of, 299*
- Gas-lighting, extent of, in London, 59
- Georges, mademoiselle, French actress, 84
- Germany: discussion on the military establishment of Baden, [172]; regulations respecting Jews, at Weimar, [173]; alarm of a conspiracy at Hesse Cassel, [*ib.*]; suppression of the 'German Observer,' at Wirttemberg, [175]; that state refuses to sanction the proceedings at Verona, [176]; restrictions on the press, in Bavaria, [177]
- Ghost at Abbervillers, 104
- Gilchrist, Octavius, death of, 199
- Gill v. Gill, case of, de lunatico inquirendo, 101
- Glenbervie, lord, death of, 197
- Gooch, Mary, extraordinary suicide of, 60
- Gooseberries, different species of, 304*
- Granholm, capt. steals Swedenborg's skull, 43
- Grant, Chas., memoir of, 224*; his zeal for the promotion of religious worship in India, 225; * elected a director of the East India Company, 226*; disapproves of lord Wellesley's administration, 228*; defends sir G. Barlow's administration, 232*; urges the policy of enlightening and civilizing India, 234*
- Grants of land in New South Wales, and Van Dieman's Land, 78*
- Graves, col., tried in Virginia, for duelling, 68
- Grecian (cutter) captures La Gata, a pirate vessel, 43
- Greece: war with Turkey, [233]; naval operations, [235]; incursions on the coast of Asia Minor, [*ib.*]; massacre of the Greek population at Pergamo, [*ib.*]; want of artillery and stores, 64; favourable wishes of the United States, 192*
- Greek committee, lord Byron's letter to, 63
- Griffiths, Abel, shoots his father, and himself, 77
- Guebard, M., his letter to the editor of the Journal du Commerce, on his loan with the Spanish government, 147
- Haloes, artificial, method of forming, 297*
- Hamilton, lieut. court-martial on, 146
- Harrison, J. C., executed in 1817 for the murder of Dr. Sanderson, since proved to have been innocent, by the confession of the murderer, 110
- Haydon, Mr., petition respecting historical painting, 329*
- Hayti, [254]
- Heralds' college, state of the buildings, 322*
- Hesse Cassel,—see *Germany*
- Hislop, sir T., commander-in-chief of the Deccan army, his claims to prizes allowed, 17
- Hohenlohe, prince, cure of a nun at the convent of New Hall, by, 26; and of Adelaide Veysre, at Toulouse, 29; other miracles by, 70; cures a nun at Ranelagh convent, 108
- Holland,—see *Netherlands*
- Holy alliance, demands the expulsion of refugees from Switzerland, [178]
- Home, sir E., experiments on the auricular organs, 289*
- Hood, Mr. (captain Franklin's companion), assassinated, 268*
- Hope and Memory, poem by rev. G. Crabb, 331*
- Horrocks, Mr., attempted assassination of, 101
- Horticulture, 304*
- House of Commons, votes during the last session, 15
- Hume, Mr., motion against the Irish church establishment, [69]; ditto respecting the vice-regal offices of the lord lieutenant, [70]
- Hunt, Joseph, his confession relative to Weare's murder, 141.—See also *Weare*
- Hutton, Dr. C. death of, 189
- Hydrophobia, efficacy of injecting warm water into a vein, in curing, 135; case of, 281*
- Jamaica: resolutions voted by the house of assembly, in consequence of the proceedings in the British parliament respecting the slave-trade, [132]
- Jenner, Dr., death of, 188
- Jew, extraordinary knavery of one, at Warsaw, 66
- Jews, regulations respecting, at Weimar, [173]
- Ice, life-preserver, 309*
- Indians, Northern, superstition of, 254*
- Indies, East, the late Mr. Grant's opposition to lord Wellesley's measures, 228*; revenue and jurisprudence, 230; institution of the col-

INDEX.

- lage at Haylesbury, 230*; air G. Barlow's administration, 232*; negotiations for renewal of the company's privileges, *ib.*; moral and religious character of the natives, 233*; Mr. Grant's speech in favour of the civilization of India, 234*; charter act, &c. 235*; scheme for sending dispatches thither, by a steam packet, 296*
- West,—see *Jamaica* and *West Indies*
- Insects in amber, 289*
- Insensibility, singular medical case of, 287*
- Institution, African,—see *African*
- Iodine, new compound of, 301*
- Ionian Islands: new parliament at Corfu, [231]; successful crops, [232]; expenditure, *ib.*; elections, [233]
- Ireland: bills of indictment against the rioters at the Dublin theatre, [49]; motion in parliament respecting ditto, [52]; parliamentary inquiry into the conduct of the sheriff of Dublin, [56]; course of the inquiry [57]; riots between Ribbonmen and Orangemen, [61]; outrages in Limerick, &c. [62]; insurrection act, renewed, *ib.*; Tithe-composition Bill, [63]; mischiefs of the system of joint tenancy, [64]; Mr. Brougham's motion respecting the administration of justice, *ib.*; Mr. Hume's against the church establishment, [69]; ditto respecting the office of lord lieutenant, [70]; duke of Devonshire's motion on the state of Ireland, [71]; valuable quarries of marble discovered, 69; police officer, &c., killed at Castlehaven, 85; murder of the Franks family, 115; claim of the Catholics to pray over their dead in Protestant churchyards, 116; threatening notice posted up at Ardualyntha, 124; trial of Forbes, &c. 21*; letters on the state of Ireland, from the lord lieutenant, 50*; tranquillity restored in Limerick, *ib.*; disturbed state of Cork and Tipperary, 51*; renewal of the Insurrection act, indispensable, 56*; returns to Parliament on the education of the poor, *ib.*; efforts of the Roman Catholic priests to withdraw children from Protestant schools, 59*
- Italy: prosecutions for political offences, [231]; election of Leo XII, [*ib.*]; creation of cardinals 30
- Iturbide, deposed, [240]; retires to Europe, [241]
- Julian, Miss Mitford's tragedy of, 34
- Keith, lord, death of, 193
- Kemble, J. P., death of, 191
- Kerr, general, assault on, 20
- Keys, J., trial of, for parricide, 36
- Knights of Malta, actual state of that order, 326*
- Köchlin, M., prosecuted for a pamphlet, and imprisoned and fined, 67
- Lallemand, general, death of, 210
- Lambeth-palace, robbery at, 105; at the church, 107
- Lambton, lieut.-col. death of, 188
- Lansdown, marquis, question to ministers relative to Spain, [16]
- Lansdown Manuscripts, 321*
- Land-tax, Mr. Maberly's motion respecting the redemption of, [118]
- Latitude, instrument for finding, 308*
- Law Cases, 1*
- Ledwich, Rev. L., death of, 201
- Legraiveux, editor of the *Courier François*, imprisoned and fined, 39
- Lists, Births, 168
- Deaths, 187
- Marriages, 171
- Ministers, 212
- Promotions, &c. 179
- Sheriffs, 167
- Public General Acts, 235
- Patents, 311*
- Liverpool, election at, 20; increased trade, 164
- Loan, French, 88
- London-bridge, plan for rebuilding, 121
- Longevity: Eleanor Job, 124
- Lunacy, matters of, not to be removed from the lord chancellor's jurisdiction, 64*
- Mackintosh, sir J., resolutions for the improvement of the criminal code, [85]
- Magendie, Dr., successful treatment of hydrophobia by, 135, 281*
- Magnetism, by percussion, 299*; effect of on chronometers, *ib.*
- Malta, knights of,—see *Knights*
- Manuscripts: the Cottonian, 320*; the Lansdown, 321*
- Manuel, M. deputy for La Vendée, proceedings against, [160]; biographical account of, [161];
- Manufactures, French, 119

I N D E X.

- Marble**, valuable quarries of, discovered in Ireland, 69
Maritime law; case of the Dundee, 32*
Marriages, French, 1
Mary queen of Scots,—see *Devision*.
Medical Cases, 281*, 287*
Messina, dreadful storm at, 149
Mesurado, colony at, for free persons of colour from the United States, 92*; dreadful hostilities between the colonists and natives, *ib.*
Mexico: Iturbide deposed, [240]; proposed constitution, [241]; negotiations with the Spanish commissioners, [243]; interrupted by the armistice being broken, and Vera Cruz attacked by Lemour, [243]; war declared against Spain, *ib.*
Milford, lord, death of, 210
Military uniform, regulations respecting, 75
Mina, his military operations, [184], [191], [303]; surrenders Barcelona, [308]; arrives in England, *ib.*
Minerals, new fluid discovered in, 297*
Ministry, its increased popularity, [3]; changes in, *ib.*
Mission to Siam, 100
Mitford, Miss, her tragedy of Julian, 34
Mock Suns, 8
Moll, a shoe-maker of Cologne, murders his friend Ocha, 131
Monteagudo, Bernardo, minister of Peru, 205*
Morillo, his defection, [197]; takes possession of Corunna, [199]
Morphine, acetate of, 17*
Mosquera, Joaquin, minister of Columbia, 205*
Mount Rosa, ascent of, by M. M. Zumstein and Vincent, 290*
Munich, the new court theatre, burnt, 8
Murders: Madame Jerome, at Paris, [166]; Capt. Owen, 2; John Landen, 21; James Keys, murdered by his son, 36; murder at Paris, 38; T. H. Griffiths, shot by his son, 77; B. Magrath, 93; Owen M'Adam, 94; Sarah Downe, 95; wife of a French soldier, 98; Bridget Donalhan, murdered by her husband, 102; the Franks family, 115; Elizabeth Anthony, 121; murder at Cologne, 131; Mr. Weare, 141; Mr. Mumford, 155; M. Honein, by a sentinel at the Tuilleries, 162; J. Grainge, killed by Mr. Conolly, 165; Hippolyte Ballet, 1*; Mr. and Mrs. Needle, 36*; Mrs. Richards, 44*
Muselburgh Races, disturbance at, 97
National Debt, bill regulating its reduction, [111]; effected reduction, [116]; bequests for the reduction of, 27
Natural History, 281*
Navigation of the United Kingdom, 233
Netherlands: suppression of two Roman Catholic Societies, [169]; restrictions on commerce with France, *ib.*; session of the states general, and the king's speech, [170]; plans of improvement, *ib.*; military operations in Sumatra, [171]
New South Wales: advance of civilization, 59; report of the commissioners, on the state of agriculture and trade, 71*; divisions of the country, *ib.*; geological features, 72*; counties of Westmorland and Argyle, 73*; forests, Bredalbane plains, Bathurst lake, *ib.*; sheep and cattle, 76*; grants of land, 78*; trade, *ib.*; ecclesiastical establishments, 79*; population, and revenue, *ib.*; public expenditure, 80*
Newgate, state of, 69
Newspapers, French, 90
Niagara Falls, 277*
Nollekens, sculptor, death of, 195
Norfolk, petition from the county of, respecting agricultural distress, [2]
Norway, population, &c., 227*
Norwich, meeting at, for considering the state of agricultural distress, [2], 5
Obituary: Lieut. col. Lambton, 188; Dr. Jenner, *ib.*; Dr. C. Hutton, 189; Mr. Angerstein, *ib.*; Mrs. Radcliffe, 190; lord Ashburton, 191; J. P. Kemble, *ib.*; earl St. Vincent, 192; lord Keith, 193; sir J. Campbell, *ib.*; E. Christian, 194; Jos. Nollekens, 195; lord Glenbervie, 196; Octavius Gilchrist, 199; sir H. Raeburn, *ib.*; duke of Roxburgh, 200; rev. E. Ledwich, 201; R. Bloomfield, 202; Brockhaus, *ib.*; Earl of Hopetoun, 203; Mr. Ricardo, 205; Dr. Baillie, *ib.*; Pius VII, 208; earl of Bridgewater, 209; lord Chief Baron Richards, 210; lord Milford, *ib.*; gen. Lallemant, 210; G. Balsoni, 211
Ohio, projected junction of, with the Chesapeake, 191*

INDEX.

Old Bailey, *—see* *Trials*, trial of Krens, and twenty others, for the murder of two custom-house officers, 54

Ordinance, parliamentary inquiry respecting the office of lieut.-gen. of, [119]

Oree, the ancient town of, discovered in Scotland, 155

Oxley, Mr., his expedition into the interior of New South Wales, 75*

Padiham, Water-spout at, 108

Painting, ancient, of the murder of archbishop Beckett, discovered, 118

— Mr. Haydon's petition to parliament, 329*

Paris: Tribunal of Correctional Police, the duke of San Lorenzo v. Ouvrard and Rougemont, respecting the loan in favour of the regency of Spain, 13; Martainville imprisoned and fined for an article in the *Drapeau Blanc*, 24; libel in the *Journal de Commerce*, 32; trial of the editors, 38; trials of Blochet, Choffard, Arnout, Evrard, Diolot, and Claitte, 39; case of seduction and attempted suicide, 89; trial of Begu, and Lafforgade, for murder, 98; distribution of prizes for virtuous actions, 111; exhibition of manufactures, at the Louvre, 119; trial of a sentinel, V. Simon, for the murder of M. Honein, 162; political precaution at the theatres, 164; trial of Castaing, 1*; ditto of the widow Boursier, and N. Kostolo, for murdering the husband of the former, 19*; statistical account of Paris, 324*

Parliament, proceedings in: opening, [4]; king's speech, [*ib.*]; address by lord Morley, [5]; lord Liverpool's speech, [6]; sir Joseph Yorke's, on the address, [7]; Mr. Brougham's speech on the interference of the continental sovereigns with Spain, [8]; Mr. Peel's remarks on it, [15]; lord Lansdowne's and Mr. Brougham's questions to ministers, [16], [17]; removal of the prohibition of exportation of arms to Spain, [17]; diplomatic papers relative to France and Spain, [18]; pacific policy of this country, [25]; motion for the repeal of the Foreign Enlistment Bill, [27]; debate in the Lords on the Spanish negotiations, [*ib.*]; address moved by lord Ellenborough disapproving of the con-

duct of ministers, [*ib.*]; debts in the commons, on the Spanish negotiations, [28]; chancellor of the exchequer's speech, [30]; sir J. Mackintosh's and Mr. Peel's, [32]; sir F. Burdett's, [34]; Mr. Canning's justification of the conduct of ministers in the Spanish negotiations, [37]; Mr. Brougham's unsuccessful reply, [48]; Mr. Brownlow's motion relative to the indictments for riot at the Dublin theatre, [52]; his motion against Mr. Plunkett, [53]; Sir F. Burdett's motion for an inquiry into the conduct of the sheriff of Dublin, [56]; Irish tithe-composition bill, [63]; Mr. Hume's motion against the Irish church establishment, [69]; motion respecting the office of lord lieutenant, [70]; Catholic question, [73]; fracas between Messrs. Canning and Brougham, [76]; bills for conferring the elective franchise on English Catholics, [80]; and for making them eligible to certain offices, [81]; lord Colchester's motion respecting Catholics, [*ib.*]; petition for parliamentary reform, [*ib.*]; Lord J. Russell's motion respecting ditto, [*ib.*]; elective franchise in Scotland, [82]; election of magistrates for the borough of Inverness, [83]; improvement in the criminal code, [85]; bills for removing capital punishment from certain offences, [86]; interment of suicides, [88]; law of principal and factor, [89]; new marriage law, [*ib.*]; court of chancery, [93]; appellate jurisdiction, [*ib.*]; Borthwick's case, [94]; agricultural distress, [95]; motion for a reduction in the import price of corn, [97]; Mr. Western's motion on the currency, [100]; equitable adjustment of contracts, [101]; re-appointment of committee on Foreign trade, [*ib.*]; warehousing bill, [102]; reciprocity of duties bill, [103]; beer bill, [104]; silk trade, [105]; improved finances of the country, [107]; repeal and diminution of several of the assessed taxes, [108]; error in the statement respecting the surplus revenue, [109]; contract with the Bank, [110]; bill regulating the reduction of the national debt, [111]; budget, [113]; amount of taxes reduced since the war, [117]; Mr. Maber-

INDEX.

- ly's motion respecting the redemption of the land-tax, [118]; tax on foreign wools, [119]; motion respecting the office of the lieutenant-general of the ordinance, [*ib.*]; Newfoundland, New South Wales, &c. [121]; proposed equalization of duties on East and West Indian sugar, [*ib.*]; Mr. Buxton's motion on the slave-trade, [127]; Mr. Bowring's imprisonment, [139]; Mrs. Serres's claims, [141]; parliament prorogued by commission, [144]
- Parliamentary Reform, petition for, [81]; 9
- Parricide: John Keys, 36; Abel Griffiths, 77
- Parry, capt. his second voyage, 271*
- Patent, case of infringement of, tried in King's Bench, 156
- Patents, List of, 311*
- Pepe, gen.; duel with gen. Carascosa, 25
- Persia, Treaty of Peace with Turkey, [237]; official invitation from the Prince Royal to settlers, 86
- Peru, Abdication of San Martin, [248]; expedition against Canterac, [*ib.*]; successes of the Spaniards, [*ib.*]; Aguera chosen president, [*ib.*]; Lima occupied by Canterac, [249]; Dissensions between Aguera and the Congress, [*ib.*]; total defeat of the Royalists, [*ib.*]; Bolivar placed at the head of affairs, [250]; Aguera taken prisoner, [251]; children born of slaves declared free, 92*; treaty with Columbia, 204*
- Piracies: La Zaragozana, pirate vessel, 42; La Gata, ditto, 43; Aaron Smith, tried for Piracy, 158
- Pius VII., his death, 291; memoir of, 210*
- Platina, new chemical combination from, with hydrogen gas, 300*
- Plunkett, Mr., Attorney Gen. for Ireland, his conduct respecting the trial of the rioters at Dublin Theatre, [51]; Mr. Brownlow's motion against, [53]; opposes Mr. Hume on the question of the Irish Church Establishment, [69]; extract from his speech on the Catholic Question, [74]
- Poetry, 331*
- Poison, duelling with, 68
- Polar Sea, capt. Franklin's journey to, 251*
- Police, commitments, number of, 253
- Porter, quantity of, brewed in London, in 1823, 86
- Porter, commodore, employed to put down piracies in Cuba, 188*
- Porto Rico, [254]
- Portsmouth, lord, case of, 25
- Portugal: assurance of protection from Great Britain, [211]; Amarante's insurrection, [212]; Rego's defeat, [*ib.*]; Amarante retreats into Spain, [213]; arrests at Lisbon, [*ib.*]; insurrection of the 23rd regt., [214]; prince Miguel's flight, [*ib.*]; King's proclamation, [215]; new ministry, [216]; dissolution of the Cortes, [*ib.*]; sir R. Wilson, [*ib.*]; French embassy, [*ib.*]; separation of Brazil, [217]—see *Brazil*; Madeira's expedition against Bahia, [228]; suppression of commerce with Portugal, suggested by Russia, as a measure for inducing it to abolish the Slave-trade, 85*; refuses to accede to any measures for the abolition of slavery, 87*; France not hostile to Portugal, 147*; state of education, 328*
- Post-office, and mails, of the United States, 190*
- Poyais Settlers, letter from one, 135
- Preacher, female, 69
- Prices: Stocks, 247; Sugar, Hay, and Wheat, 248; Butcher's Meat, 249
- Princess Olive,—see *Serra*.
- Prisons, return of commitments to 251
- Privateering, projected abolition of, 185*
- Prize-poem: Stonehenge, 336*
- Probert, W., arrested for Wear's murder, 141
- Prussia: establishment of provincial assemblies, [174]; edict against secret associations, [*ib.*]; restrictions on the Press, [175]; measures relative to the Slave-trade, 84*; number of students at the universities, 327*
- Public Documents. Domestic, 80*; Foreign, 93*
- Income, Tables of, 214
- Offices, increase and diminution of salaries, 59*
- Records, 66*
- Puffing, French theatrical, 84
- Radcliffe, Mrs., death of, 190
- Raeburn, sir H., death of, 199
- Ravens, Mr., arrest of, 36
- Records, Public, evidence on the state of, 66*; engrossing bills in the House of Commons, *ib.*; the writ-

INDEX.

- ing used in the records of the King's-bench and Common-pleas, 68*; whether rolls or books are preferable for records, 69*; the ink and parchment used, 70*
- Refraction of light, in the arctic seas, 293*
- Reports: on the Agriculture and Trade of New South Wales and Van Dieman's Land, 71*; of the African Institution, 80*
- Revenue, state of, [115]; Tables of, 214
- Ribandism in Ireland, 5
- Ricarsee Indians, hostilities with the United States, [240]; 187*
- Richards, sir R.; chief baron, death of, 210
- Mrs., murder of, 44*
- Richardson, Dr., accompanies captain Franklin, 251*; his separate expedition, 267*; shoots Michel, the Iroquois, 269
- Riddle, 336*
- Riego, his expedition, [200]; defeat and capture, [202]; death, [210]
- Rome, destruction of St. Paul's, by fire, 80
- Roxburgh, duke of, death of, 200
- Rushbearings, 94
- Russia: Mr. Brougham's remarks on its conduct towards Spain, [9], [11]; its intentions respecting the Western Coast of America not known, [179]; interview between the emperor and the emperor of Austria, [ib.]; commercial transactions with Spain and Portugal forbidden, 48; claims of exclusive jurisdiction on the north-west coast of America, 52; finances, 153*; population, &c. 328*
- Russian voyage of discovery, 291*
- St. Vincent, earl, death of, 92; Memoir of, 220*
- Salaberry, De, Steam-boat, fire on board, 71
- Salaries in public offices, increase and diminution of, 59*
- San Miguel, Spanish Minister, conference with sir W. A'Court, respecting the course likely to be pursued by Great Britain with respect to Spain, 116*, 119*; letter to ditto, 123*
- Sarepta, conflagration at, 106
- Savary, gen. (duke of Rovigo). account of the death of the duc D'Engbien, 242*
- Schools, parochial, in Ireland, 56*
- Scoresby, Mr., on the refraction of light in the Arctic seas, 293*; observations on the aurora-borealis, 294*; experiments relative to magnetism by percussion, 299*
- Seidlitz powders, infringement of patent for, 156
- Serres, Mrs., her claims to be recognized as princess of Cumberland, and Mr. Peel's exposure of the imposition, [141]; meeting for her relief, 108
- Sessions,—see *Assizes*.
- Shipping, British merchant, increase of, [104]
- Ships: capture of La Veloz Mariana, by the Jean Bart, 57
- Shipwrecks: the Windermere of Liverpool, 7; loss of the Alert packet, 39; Brig Robert, of the Isle of Man, 66; narrative of the crew of the Princess of Wales, 144
- Shrewsbury, missionary, his meeting-house destroyed at Barbadoes, and his escape from the island, [134]
- Shrewsbury, street-preachers at, 70
- Siam, Mr. Crawford's mission to, 100
- Sierra Leone, improved state of, 91*
- Silk-trade, proposed repeal of the Spitalfields Acts, [105]
- Sinking fund, proposed substitution for, [118]
- Slave-trade: Mr. Buxton's motion for its abolishment in the British Colonies, [127]; the resolutions proposed by ministers, [130]; lord Bathurst's circular to the West-India colonies, [ib.] note; negotiations respecting, at the Congress of Verona, 80*; measures advised for checking the contraband trade carried on under the French flag, 82*; policy of Prussia and Russia, 84*; little hope of suppression of slavery, 87*; capture of French and Spanish slave-ships, 88*; ameliorated condition of slaves in Ceylon, 89*; activity of sir R. T. Farquhar in abolishing slavery in the Isle of France, &c., 90*; state of the slave-trade in Bourbon and Madagascar, ib.; Zanguebar, 91*; Peru, children born of slaves declared free, 92*; Societies formed for the abolition of the slave-trade, ib.; Dr. Lushington's bill, 93*; proscription of slavery, proposed by the United States, 185*
- Smith, missionary, imprisoned and

INDEX.

- tried at Demerara, for conspiring with the revolted slaves, [137]; his death, [ib.]
- Somerset, lord Fitzroy, sent with a confidential communication to Spain, [23], 118*; duke of Wellington's memorandum to, 116*; letter to Mr. Canning, 132*
- Snow-houses, 258*, 273*
- Sonnambulism, extraordinary case of, 183
- South Polar ocean, discoveries in, 291*
- Spain: Mr. Brougham's speech on the interference of the continental Sovereigns, [8]; discussions in parliament respecting Spain, [15]; repeal of the prohibition of the exportation of arms thither, [17]; diplomatic papers relative to France and Spain, laid before parliament, [18]; debate on the Spanish negotiations, [28]; state of feeling in England, towards Spain, [47]; debates in the French chamber relative to war with, [151]; proceedings of the Cortes respecting the communication from the Holy Alliance, [181]; the king's reply to the address of the Cortes, [182]; proceedings of the Cortes after the communication of the king of France's speech, [183]; close of the extraordinary Cortes, [ib.]; operations of Mina, [184]; Bessieres and Ulman march on Madrid, [ib.]; but retreat, [185]; Ulman enters Valencia, [ib.]; the king refuses to transfer the government from Madrid, [ib.]; changes in the ministry, [186]; opening of the Cortes, [187]; removal of the king and Cortes to Seville, [188]; military preparations, [ib.]; commencement of the campaign, [189]; blockade of San Sebastian, [190]; march of the French on Madrid, [191]; operations in Catalonia, [ib.]; Bessieres' attack on Madrid, [192]; regency established at Madrid, [193]; treachery of Abisbal, [194]; proceedings of the Cortes at Seville, [ib.]; removal of the king to Cadiz, [195]; Bourck's operations against the Constitutionalists, [197]; Morillo's defection, [ib.]; Corunna attacked by Bourck, [198]; entered by Morillo, [199]; reverses of the Constitutionalists, [ib.]; defection of Ballasteros [200]; Riego's expedition, [ib.]; his defeat and capture, [202]; blockade of Barcelona, [203]; Milan's victory over the French, [204]; duke of Angoulême before Cadiz, [ib.]; his correspondence with Ferdinand, [205]; capture of the Trocadero, [206]; negotiations, [207]; Ferdinand repairs to the head quarters of the French, [ib.]; surrender of Cadiz, [208]; and of various fortresses, [ib.]; termination of the campaign, [ib.]; Ferdinand's decree against the Constitutionalists, [209]; Riego's execution, [210]; change in the ministry, [ib.]; war declared by Mexico, [243]; operation in Columbia.—see *Columbia*; diplomatic correspondence respecting the relations between Spain and France, 93*; dispatch of the Minister for Foreign Affairs, to M. de Colomb, 104*; conduct of Great Britain in a rupture between France and Spain, 130*; capture and destruction of British vessels, 148*; reply to the French Ministry, 154*; notes to the *Chargés d'Affaires*, at the different Courts, 156*; Address voted by the Cortes to the king, 157*; proclamation of the duke of Angoulême, 158*; king's speech at closing the Session of 1823, 160*; reply of the President of the Cortes, 163*; king's proclamation before quitting Cadiz, 166*; preliminary convention with Buenos Ayres, 196*
- Spanish Subscription Fancy Ball, and Covent Garden, 85
- Spanish and Portuguese Ambassadors, entertainment given to, 28
- Spanish Slave Ships, capture of, 69*, 89*
- Sparrows, utility of, in destroying caterpillars, 303*
- Speech, King's, at the opening of parliament, [4]; of the king of France, [149]; of the king of Sweden at the close of the Diet, 181*
- Spinach, New Zealand, 307*
- Statistics: Paria, 324; Sweden and Norway, 327*; Russia, 328*; Portugal, ib.
- Steam, poultry hatched by, 310*
- Stock in trade, liability of, to poor's rates, 76
- Stockholm, fictitious orders to gas Gefle, &c., put into the post, 36
- Stocks, 247
- Stoffel, Philip, tried for murder of Mrs. Richards, 41*
- Stonehenge, prize poem, 368*

I N D E X.

- Storm, dreadful, at Messina, 140
 Strength of animals, comparative, 298*
 Stuart, Miss, cured by Prince Hohenlohe, 108
 ——— sir C., correspondence with Mr. Canning, 113*, 124*, 196*, 198*, 132*, 137*, 140*
 Styrian evening hymn, 331*
 Succory, used as blanched salad, 304*
 Sugari proposed equalization of the duties of East and West India Sugars, [191]; fish preserved by sugar, 302*
 Suicides: law passed respecting their interment, [98]; extraordinary one, 60; instance of suicide and parricide (A. Griffiths), 77; number of suicides at Paris, 325*
 Sumatra, dissensions between the natives, [171]
 Superstition, instance of, 70; of the Northern Indians, 254*
 Sweden: measures of the Diet, and the king's speech, [172], 151*; population, &c. 327*
 Swedenborg's skull, 42
 Switzerland, decrees respecting the censorship of the press, and foreigners, [177]; measures of the Diet, [178]; further demands of the Holy Alliance, [ib.]; instance of fanaticism at Zurich, 41
 Talleyrand, wishes to prevent the publication of Savary's memoirs, 246*
 Tables, Public Income, 214
 ——— Expenditure, 216
 Disposition of Grants, 217
 Ways and Means, 227
 Unfunded Debt, 228
 Funded Do., 229
 Trade of Great Britain, 231
 ——— Ireland, 232
 Navigation, 233
 Prices, of Stocks, 247
 Tattooing, as performed by the Crees, 253*
 Taxes, Assessed, repeal, or diminution of several, [106]; amount of those repealed since the war, [117], *note*.
 Thermometers, variation in their bulbs, 298*
 Thompson's Island, malignant fever at, 196*
 Thorpe (Sheriff of Dublin) *see* Dublin
 Thurtell, J., murders Mr. Wear, 141
 Tipperary, destruction of property by fire in, 52*
 Trade: foreign trade, [101]; reciprocity of duties bill, [105]; shipping, [104]; of Great Britain, 231; of Ireland, 232; state of trade in New South Wales, 71*
 Tread-mill, 96; sir J. C. Hippesley's letter on, 113
 Treasury Chambers: the Deccan prize case, 17
 Trials: Mad. Lecouffe and son, murder, [166]; Thomas Hughes administering an unlawful oath, 8; W. Moore, assault on gen. Kerr, 90; J. Rolfe, murder, 71; W. Arden, &c. unnatural crime, 30; Elizabeth Bryant and daughter, maiming Anne Burgess, 45; Kraus, &c., killing two Custom-house officers, 53; J. Burrows, rape, 91; Henry Delap, murder, 83; Pat. M'Cann, murder, 94; Begu and Lafforcade, Paris, murder, 98; W. Donally, murder of his wife, 103; W. B. Dyson, murder, 121; Beeman and Cahuac, stealing books, 126; J. Wilson, assault on his own daughter, 128; James and Sarah Roxborough, imposition and stealing, 139; Shore, &c., robbery, 140; Aaron Smith, piracy, 156; V. Simon, murder of M. Honein, 162; Castaign, murder of H. Ballet, [165], 1*; Widow Boursier, murder of her husband, [166], 19*; T. Randall and J. Croker, murder, 37*; P. Stoffel and C. Keppel, murder, 44*
 Trimleston, lord, trials in the House of Lords respecting the validity of his will, 73
 Turkey: war with the Greeks, [233]; military operations, [234]; massacre of the Greeks at Pergamo, [235]; affairs at Constantinople, [ib.]; quarrel and negotiations with Russia, [236]; arrangements with Austria, [ib.]; treaty with Persia, [237]
 Vaccination, introduced into Africa, 92*
 Van Dieman's Land: its geographical divisions and agricultural produce, 77*; number of cattle, 78*; grants of land, *ib.*; trade, *ib.*; ecclesiastical establishment, 79*; population revenue, *ib.*; public expenditure, 80*
 Vansittart, Mr., created lord Bexley, [3]
 Vegetation, in atmospheres of different densities, experiments on, 301*

INDEX.

- Veloz, Mariana**, captured by the Jean Bart, 57
- Verona**, Congress at, [19]; negotiations respecting the Slave-trade, 80*; resolutions respecting ditto, 85*; determinations respecting the relations between France and Spain, 141*
- Vessels**, British, convention respecting the capture and detention of, by Spanish authorities, 148*
- Vigilante**, French slave ship, captured by lieutenant Mildmay, 88*
- United States**: law against the slave-trade, [238]; opening of Congress, [ib.]; negotiations with England to, [239]; Finances, [ib.]; quarrel with the Riccaree Indians, [240]; Message to Congress, 183*; negotiations with Great Britain respecting boundary, 184*; negotiations with France and Russia, *ib.*; projected proscription of the Slave-trade, and privateering, 185*; ministers appointed to Columbia, &c., 186*; finances and army, *ib.*; ordinance department, 187*; hostilities of the Riccarees, *ib.*; Militia and Navy, 188*; putting down piracies, 189*; post-office department, 190*; projected junction of the Chesapeake and Ohio, 191*; improvements at Cape Henlopen, 192*; wishes for the success of the Greek cause, *ib.*; policy towards Europe, 193*; increased population, 194*; table of finances, 195*
- Voltaic**, apparatus, Mr. Pepys', 298*
- Voyages**: capt. Parry's second voyage, 271*; Russian voyage of discovery, 291*
- Wallace**, Mr., answer to the address respecting the trade of the port of London, 23
- Wanstead-house**, sale of, 65
- Warehousing-bill**, passed, [102]
- Warsaw**, Jew shot at, for fraud, 66
- Waterspout**, at Padham, 108
- Weare**, Mr., murder of, 141
- Wellesley**, marquis, (lord lieutenant of Ireland) outrage against, at the theatre, 91*; letters from, on the state of Ireland, 50*; his administration in India, 228*
- Wellington**, duke of, negotiations at Verona, [19]; correspondence with Mr. Canning respecting France and Spain, 96*; answer to the French Plenipotentiary, 96*; memorandum for lord Fitzroy Somerset, 116*
- West Indies**: discussions in Parliament relative to their interests in the sugar-trade, [122]; alarm at the proceedings in parliament respecting the slave-trade, [113]—see *Jamaica*; depreciation of property, 97
- Weyhill**, tessellated pavement discovered at, 67
- Whiteboyism**, 124
- Wilberforce**, speech on the conduct of ministers towards Spain, [29]
- Wild beasts**, escape of, from a caravan, 26
- Wilson**, sir R., his expedition in Spain, [197]; imprisoned at Braga, [216]; address to the Portuguese, [ib.]
- Winchester**, Bishop of, heir of sir Thomas Pretyman, 38
- Wine**, quantity exported from Oporto, 1
- Wurtemberg**,—see *Germany*
- Witchcraft**, pretended, 139
- Wollaston**, Dr., elected associate of the French Institute, 38
- Woman**, wild, discovered in Spain, 1
- Wool**, foreign, petition for repeal of duties on, [119]
- Wootton Bassett**, painting of the murder of archbishop Beckett discovered, 118
- Writing**, what kind of hands best for public records, &c., 67*
- Zanguebar**, state of the slave-trade, 91*
- Zaragozana**, (pirate schooner), taken by the Tyne and Thracian, 42





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